

Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	30 th March 2010

OBJECTION TO TREE PRESERVATION ORDER NO. 6 (WHITTLE LE WOODS) 2009

PURPOSE OF REPORT

1. The purpose of this report is to decide whether or not to confirm the above Tree Preservation Order (TPO) with or without modification in light of an objection received.

RECOMMENDATION(S)

2. That Tree Preservation Order No. 6 (Whittle Le Woods) 2009 be confirmed with modification by way of the Beech tree adjacent to Lucas Lane being deleted from the Order whilst the protection afforded the Sycamore tree adjacent to Preston Road be retained.

EXECUTIVE SUMMARY OF REPORT

3. The purpose of this report is to decide whether to confirm the above Tree Preservation Order with or without modification as the occupier of 100 Preston Road has objected to the Order.
4. The Order was placed on the two of the trees in the garden of 100 Preston Road to protect the trees in case the garden was considered for development or purchased by Wainhomes following the residential development being permitted and constructed to the rear of 102 Preston Road. The trees subject to the Order are a Beech tree adjacent to Lucas Lane and a Sycamore tree adjacent to Preston Road.
5. As Wainhomes have now completed the development and the owner of 100 Preston Road has confirmed in writing as part of the objection to the Order that land would not be sold to Wainhomes, there is no longer considered to be a threat to the trees.
6. The Beech tree adjacent to Lucas Lane is less prominent in the locality that the Sycamore tree which front onto Preston Road. As the Sycamore makes a very significant contribution to the visual amenities of the locality, it is recommended that this tree still be afforded the protection of the Order whilst the Beech tree is removed from the Order for the reason above.

REASONS FOR RECOMMENDATION

(If the recommendations are accepted)

7. It is recommended that the Order be modified so as only the tree adjacent to Preston Road is protected. The reason for this is that the trees are no longer considered to be under threat of felling and/or damage but the tree adjacent to Preston Road makes such a significant contribution to the visual amenities of the locality that it should still be protected. The second

tree adjacent to Lucas Lane is less perceptible in the public realm so does not warrant ongoing protection now the threat to it has diminished.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. An alternative option would have been not to protect the trees. However, this means the trees could be felled and the contribution they make to the visual amenities of the locality would be lost.

CORPORATE PRIORITIES

9. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	x
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

BACKGROUND

10. Planning permission was granted on land to the rear of 102 Preston Road in March 2008 for residential development. The applicant (Wainhomes) had substantially completed the development towards the middle of 2009 but had also questioned the Council on the potential for providing additional development on land to the rear of 100 Preston Road. As there are mature trees on the site, the Council decided to assess the amenity value and the health of these trees and the decision was made that two of the trees on the site should be made the subject of a Tree Preservation Order.
11. Since the preparation and the serving of the Order, Wainhomes have now completed the development to the rear of 102 Preston Road and are no longer on site. Also, the occupier of 100 Preston Road has written to the Council objecting to the Order and stating an approach from Wainhomes to purchase some of the garden of 100 Preston Road was rejected and that the trees have always been looked after in the 50 years of living at the property. On this basis, it is considered that the trees are no longer under risk of being felled or damaged.

IMPLICATIONS OF REPORT

12. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	x

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Director Partnerships, Planning and Policy

Report Author	Ext	Date	Doc ID
David Stirzaker	5223	15 th March 2010	

Background Papers			
Document	Date	File	Place of Inspection
Chorley Council Tree Preservation Order No. 9 (Chorley) 2009	September 2009	TPO No. 12 (Chorley) 2009	Civic Offices, Union Street