

Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	12 July 2011

## **OBJECTIONS TO TREE PRESERVATION ORDER NO.3 (ECCLESTON) 2011**

### **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 the objections received

### **RECOMMENDATION(S)**

2. That Tree Preservation Order No. 3 (Eccleston) 2011 be confirmed.

### **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. The Order was placed on the tree following concerns from residents about the development of the adjacent land.

### **REASONS FOR RECOMMENDATION(S)**

#### **(If the recommendations are accepted)**

4. It is recommended that the Order be confirmed as the intention is to redevelop the Carrington Centre site. The trees surrounding this site are mainly mature Oaks that have significant amenity value and a TPO will ensure protection for them is in place during the development.

### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

5. The Council could have not made the TPO, however this could have led to the loss of trees with significant amenity value.

### **CORPORATE PRIORITIES**

6. 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	<b>X</b>
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

### **BACKGROUND**

7. Several of the residents from Millwood Close and Bradley Lane rang the Council expressing concerns for the trees and requesting a TPO after hearing that Northern

Trust intended to develop the site of the Carrington Centre, with new shops and housing to the rear.

## OBJECTIONS

8. The first objection is from Northern Trust Co Ltd who are the owners of the majority of the land containing the TPO. They request that three of the trees (T18, T19 and T20) be removed from the TPO to allow the placing of the new access road from Bradley Lane to the development.

The proposed development is at a very early stage and the layout may yet change, which would mean the needless removal of 3 healthy trees. If the TPO is confirmed as is, planning permission could allow for the removal of these trees if needed and also allow for the condition of replacement trees in mitigation.

The second objection is from the owner of 35 Middlewood Close. The tree T21 overhangs her property and debris has fallen into her garden. She alleges that the tree has had no maintenance work and wants assurances from the council that the tree will be maintained now and in the future, otherwise she objects to the order.

As Chorley council is not the land owner, such assurances cannot be given. Lack of regular maintenance is not a valid reason for objection.

## IMPLICATIONS OF REPORT

9. 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	<b>X</b>

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Report Author	Ext	Date	Doc ID
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Background Papers			
Document	Date	File	Place of Inspection
Chorley Council Tree Preservation Order No. 3 (Eccleston) 2011	May 2011	No. 3 (Eccleston) 2011	Civic Offices, Union Street