

Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	3 November 2011

OBJECTION TO TREE PRESERVATION ORDER NO. 5 (COPPULL) 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 objection received

RECOMMENDATION(S)

2. That Tree Preservation Order No. 5 (Coppull) 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 site following an application regarding development of the site.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

4. It is recommended that the Order be confirmed as any development of the site would result in the felling of healthy trees in prominent positions which have significant amenity value.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. The Council could have not placed the preservation order however this would have led to the loss of healthy 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	X
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

BACKGROUND

7. This objection relates to trees on a parcel of land at the side of 47 Clancutt Lane, Coppull. An application (11/00047/FULMAJ) was received to develop the site with the building of 30 properties. It was considered expedient to protect the better quality trees on site and an order was made on that basis.

OBJECTION

8. A letter of objection has been received from the agent of the owner of the property, supported by their own tree survey and advice, on the following grounds:
 - T3 and G1 do not make a valuable contribution to the visual amenity of the area as they are neither prominently situated nor clearly visible to the public for the following reasons:
 - i. T3 is screened by the dilapidated Dutch Barn to the south and is not visible without entering onto private property.
 - ii. T3 is classified in the ACS tree report as category C1/2 and as such has low quality and value.
 - iii. G1 is also stated to be category C1/2. The 6 Oak trees in G2 are suppressed by the mature Limes on the boundary and will continue to be so. G1 is also not clearly visible to the public as the adjoining mature limes make the Oaks less visible from public land adjacent to the property.

In response to the objection the Council's Arboricultural Officer has the following comments:

These objections would all have validity if the site were to stay in its present condition. However, the site is allocated as safeguarded land within the Local Plan and identified with the Site Allocation and Development Management Policies Development Plan Document (Preferred Options) as a housing allocation. As such there is the potential that the site could be developed in the future and this will mean that the trees on the site will be thrown into prominence by the building of the properties.

T3 is shielded by the barn, but the barn will be demolished for any future development at the site. At this point, the land will no longer be private and enclosed.

The tree is graded C1/2 and given a useful life expectancy of less than 20 years. I disagree with this and see no reason why a healthy semi-mature Oak tree cannot have a useful life of 100+ years.

G1 is a group of 6 young Oak trees. They are at present shielded and overshadowed by the much larger Limes to the side of them. These Limes are over-mature and in quite poor condition and I would not envisage them lasting more than a few years. For this reason they were not included in the TPO. With the removal of the Limes, the Oak trees will then be clearly visible from the public land to the side of the site where a well used footpath runs between Coppull and Charnock Richard. G1 is also graded C1/2 and I disagree with this rating for the reasons given above.

It is the potential future development of the site itself that will raise the amenity value of these trees by throwing them into public prominence and because of this I recommend that the TPO is confirmed without change.

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	X

Lesley Anne Fenton
 Director of Partnerships, Planning and Policy
 Director Partnerships, Planning and Policy

Report Author	Ext	Date	Doc ID
Keith Winstanley	5603	17 October 2011	

Background Papers			
Document	Date	File	Place of Inspection
Chorley Council Tree Preservation Order No. 5 (Coppull)	October 2010	TPO No. 5 (Coppull) 2011	Civic Offices, Union Street