

Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	15 January 2013

## TREE PRESERVATION ORDER NUMBER 6 (HEATH CHARNOCK) 2012

### PURPOSE OF REPORT

- The purpose of this report is to decide whether to confirm the above Tree Preservation Order (TPO) in light of the comments received.

### RECOMMENDATION(S)

- That Tree Preservation Order No.6 (Heath Charnock) 2012 be confirmed, but not including trees T10 (Beech), T11 (Oak) and T12 (Oak).

### EXECUTIVE SUMMARY OF REPORT

- It is considered removal of trees T10 (Beech), T11 (Oak) and T12 (Oak) would not result in significant detrimental harm to the character of the area and so the TPO should be confirmed without including trees T10, T11 or T12.

Confidential report Please bold as appropriate	Yes	No

### CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	<b>X</b>	A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	

### BACKGROUND

- An application was received and approved to create a new vehicular access from Chorley Road to serve No. 97 The Asshaws, Heath Charnock (ref: 12/00866/FUL). A TPO was placed on some of the remaining trees in the rear garden to protect them in the future.

### ASSESSMENT

- The Council received comments requesting that trees T10 (Beech), T11 (Oak) and T12 (Oak) are not included within the TPO as they conflict with the position of a proposed driveway and hardstanding. This driveway is required to provide a useable route from the newly approved access (granted consent with the planning application 12/00866/FUL) to the rear of 97 The Asshaws. The driveway will provide a stable surface to allow a motorhome to be kept in the rear garden (rather than keeping it on the front driveway in view of neighbouring residents) and access to a new garage/workshop which the owner

intends to erect without planning permission using the properties permitted development rights.

7. The proposed amendment to the TPO would involve the removal of 3 trees. The reasons for removal of the trees (outlined above) is legitimate in this case and justified in respect of the case put forward by the land owner.
8. More importantly, removal of these trees would not undermine the character of the area to such a degree to result in significant harm. This is because tree T1 comprises a mature oak tree which is situated along the frontage of Chorley Road and is highly visible from within the streetscene. Trees T10, T11 and T12 are all positioned within the application site and are not as substantial as tree T1. As such, the loss of trees T10, T11 and T12 is not considered to undermine the character of the area, particularly as these trees are to some degree, already shielded from view by Tree T1. Additionally, there are a number of other trees to the immediate west of the site (not in the ownership of No. 97) which provide a substantial backdrop to this part of Heath Charnock reinforcing its sylvan character.
9. A new access from Chorley Road was approved by the Council on the 31<sup>st</sup> October 2012 which was applied for to provide an alternative access to the rear of No 97 The Asshaws. The rear garden of No. 97 includes a number of trees which makes constructing a usable driveway from the access to the house difficult. As such, it is considered that removal of these trees would not result in significant detrimental harm to the character of the area and has been justified on the basis of the information submitted by the landowner.
10. It is therefore recommended that the TPO be confirmed without including trees T10, T11 or T12.

#### IMPLICATIONS OF REPORT

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

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	<b>X</b>	Policy and Communications	

#### COMMENTS OF THE STATUTORY FINANCE OFFICER

12. None.

#### COMMENTS OF THE MONITORING OFFICER

13. None.

LESLEY-ANN FENTON  
DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Matthew Banks	5230	10 <sup>th</sup> December 2012	***