

Report

Report of	Meeting	Date	Item No
Director of Development and Regeneration	Development Control Committee	22/08/2006	

OBJECTION TO TREE PRESERVATION ORDER NO. 2 (CHORLEY) 2006

PURPOSE OF REPORT

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

CORPORATE PRIORITIES

2. This action will contribute towards a greener Chorley.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

5. The tree in question is sited within the curtilage of no.12 Park Road, on the northern boundary between no's 12 and 14, within St Laurences Conservation Area. The tree is within a group of three trees which resemble a multi stemmed silver birch tree.
6. An application was submitted to remove the tree, along with the removal of a horse chestnut in the front garden and conifers along the rear boundary, and crown thinning of two rowan trees. Works to the other trees were given consent, although the Council's Arboricultural Officer stated that the birch tree was in good condition and there was no reason to fell the tree. It was considered that the tree made a significant contribution to the visual amenities of the locality and was accordingly made the subject of a TPO.

GROUNDINGS OF OBJECTION

7. One letter of objection has been received from the landowner of no. 12 Park Road. These objections can be summarised as follows: -
 - The tree leans towards no's 12 and 14 Park Road and overhangs the boundary fence/wall of both properties. The objector and the owner of no. 14 are concerned that the top of the tree may cause damage to the properties (Grade II Listed Buildings) and/or persons. An assessment has been submitted on the level of risk of nuisance and damage;

Continued....



- The remaining two young silver birches would continue to contribute to the family's privacy and the visual amenity of St Laurence's Conservation Area. In addition, the objector has offered to plant a replacement tree. The loss of one tree from this group of three would not have a 'significant impact on the environment and its enjoyment by the public' as indicated in the Notice. Photographs have been submitted which have been altered to indicate the objector's impression of the appearance of the group of trees before and after the felling.

RESPONSE TO THE GROUNDS OF OBJECTION

8. An assessment made by the Arboricultural Officer states that there are no arboricultural reasons for felling the tree. Furthermore, the tree is one of the least worrisome trees concerning branch drop so the neighbour should have no need to worry over this. The tree is sited approximately 5 metres from the properties and it is not considered that this argument holds sufficient weight or substance so as to override the ongoing protection of the trees in question.
9. The group of silver birch trees are clearly visible from the streetscene and do contribute to the aesthetic appearance of the conservation area. A precautionary approach was taken when assessing the application due to time constraints, and it was decided to place an order on the tree otherwise the works could be undertaken. At the time, it was considered that its removal would have a detrimental impact towards the character and appearance of the area, although Members may be inclined to afford leniency given the location of the tree and its character. A replacement tree may enhance the area although this would depend on its species and location. It is difficult to assess the accuracy of the photographs submitted.

COMMENTS OF THE DIRECTOR OF FINANCE

10. There are no financial implications to this report.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

11. There are no human resource implications to this report.

CONCLUSION

12. The tree has an amenity value to the benefit of the public and contributes to the character and appearance of the locality, although Members may consider that its impact is not so significant and its removal would not be so adverse on the environment. It is considered that the protection of a TPO is warranted.

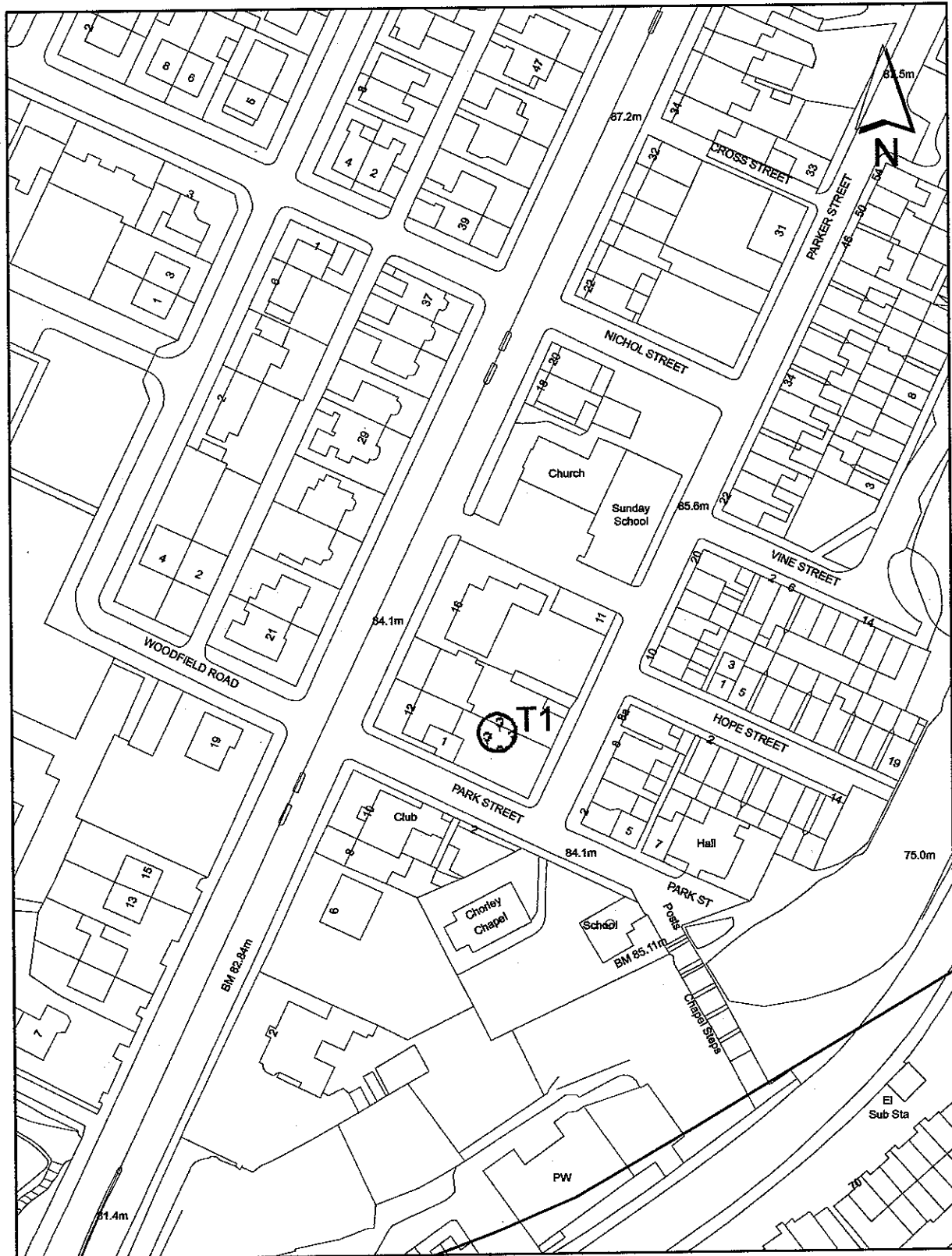
RECOMMENDATION

13. That the order be confirmed.

JANE MEEK
DIRECTOR OF DEVELOPMENT AND REGENERATION

Report Author	Ext	Date	Doc ID
Lyndsey Cookson	5230	08 Aug 06	

Background Papers			
Document	Date	File	Place of Inspection
Chorley Borough Council Tree Preservation Order No. 2 (Chorley) 2006	18 th April 2006	TPO No.2 (Chorley) 2006	Civic Offices, Union Street



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TREE PRESERVATION ORDER
TPO 2 (Chorley) 2006

SCALE
1:1,250