

Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	22 April 2014

## Tree Preservation Order No.12 (Coppull) 2013

### PURPOSE OF REPORT

1. The purpose of this report is to decide whether 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.12 (Coppull) 2013 is confirmed without modification.

### EXECUTIVE SUMMARY OF REPORT

3. This reports sets out the purpose of protecting the tree and the objections to the suggested preservation order.

<b>Confidential report</b> Please bold as appropriate	Yes	No
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### CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

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

### BACKGROUND

5. The trees that are the subject of this TPO were brought to the attention of the Council as being of potential amenity value by a neighbour to the site. Concern was expressed regarding a series of works that had previously harmed the appearance of a particularly fine specimen oak tree and the potential for further additional works that could further harm this tree. A site inspection confirmed the high quality and considerable amenity value provided by this and a collection of trees in the immediate area. The decision was therefore taken to safeguard these trees by making a Tree Preservation Order. This was secured via TPO 12 (Coppull) 2013 which was made on 25 November 2013.

6. One neighbour has objected to the Tree Preservation Order on the following grounds:
- The objector has obtained planning permission (13/00784/FUL) for a small extension to the rear of his property and is concerned that the proximity of the aforementioned specimen oak tree will prevent him from implementing this permission.
  - When the planning application was considered, the position of this tree was taken into account by the officer who considered that there was sufficient distance from the site of the proposed extension to the tree for the relationship between the two to not be an issue for concern. It was considered that the proposed extension would not impact upon the root system of the tree.
  - This objector is further concerned for falling debris (small twigs, minor branches and acorns) from the oak tree onto his garden shed and into his garden area.
  - The Council obtained an independent report on the condition of this particular tree which states that the tree is in reasonable health, requires some minor work - specifically the removal of ivy growing from the base and ongoing monitoring – but no mention was made of it being in any way dangerous.
  - The objector was under the misapprehension that the making of a Tree Preservation Order would prevent him from undertaking any works to the tree. He has been advised that this is not the case, but that if and when works of maintenance are required and are supported by a report from a suitably qualified arboriculturist, he merely has to apply to and be granted permission from the Council before undertaking the works.
7. The trees include a mature Oak, nine Lombardy Poplars, One Silver Birch, one Lime, two Beech, one Ash, two Horse Chestnut, two fir and four Sycamores which are in good condition and which are prominent within the local landscape and are considered to add to the visual amenities of the area.
8. The effect of formally confirming the Order will be to give permanent legal force to the Order, as opposed to the provisional force it enjoys for six months from the date of making, thereby making it an offence on a permanent basis to fell or otherwise lop, prune etc. the trees protected by the Order without first having obtained lawful permission. Offences are punishable by a fine of up to £20,000 in the magistrates' court.

## 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		Integrated Impact Assessment required?	
No significant implications in this area	X	Policy and Communications	

Lesley-Ann Fenton  
Director Partnerships, Planning and Policy

<b>Background Papers</b>			
<b>Document</b>	<b>Date</b>	<b>File</b>	<b>Place of Inspection</b>
Tree Preservation Order No.12 (Coppull) 2013		Tree Preservation Order No.12 (Coppull) 2013	Civic Offices, Union Street

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
I Heywood	5533	8 April 2014	***