

Report of	Meeting	Date	Item No
Director of Development and Regeneration	Development Control Committee	24/04/2007	

## **OBJECTION TO TREE PRESERVATION ORDER NO. 8 (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 trees in question extend to a large area of land, the western boundary of which abuts the Canal. The land is allocated in the Local Plan Review for employment development under policy EM1.9. In light of the Policy allocation, it was considered expedient to assess the amenity value of the trees on the site so as where necessary they can be retained.
6. The trees comprise of a variety different types. Some are mature trees and some are a mixture of trees and hedgerows. The Council's Arboricultural Officer carried out a survey of the site to establish which of the trees are worthy of protection
7. The trees were subsequently made the subject of this TPO. It is considered that they should be retained when the site is developed and they will also serve to enhance the site and mitigate some of the impact of the built development.

### **GROUNDINGS OF OBJECTION**

8. One letter of objection has been received, the contents of which can be summarised as follows: -
  - Some trees are within hedgerows which will obstruct development
  - The site has been the subject of pre-application discussions and the TPO will only discourage the development of the site

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- Some of the trees are in positions that will prevent the laying of roads and access ways
- The new bridge from the existing access road will fall directly in line with trees identified in one of the groups and the trees in group 4 will prevent access between two halves of the site
- It is incongruous and incomprehensible for the Council to promote the development of land for employment use and then impose a TPO of this extent which can only frustrate and discourage companies willing to invest into the Borough

## **RESPONSE TO THE GROUNDS OF OBJECTION**

9. The trees do not preclude the development of the site. However, they will have to be taken into account when the site is planned and they will also serve to enhance the site if/when developed. It should also be borne in mind that this site is adjacent to an area of Safeguarded Land and is rural in character hence retaining trees will help to provide a more attractive site whilst mitigating some of the impact of the development.
10. The TPO does not preclude the loss of some of the trees on the site if it can be proven absolutely necessary for the sites development and suitable replacement planting/landscaping is proposed to mitigate the loss of removed trees.

## **COMMENTS OF THE DIRECTOR OF FINANCE**

11. There are no financial implications to this report.

## **COMMENTS OF THE HEAD OF HUMAN RESOURCES**

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

## **CONCLUSION**

13. It is considered the trees have an amenity value to the benefit of the public and contribute to the character and appearance of the locality. The trees will also serve to enhance the site if/when developed and they do not preclude its development. The protection of a TPO is therefore considered to be fully warranted.

## **RECOMMENDATION**

14. That the order be confirmed.

**JANE MEEK**  
**DIRECTOR OF DEVELOPMENT AND REGENERATION**

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
David Stirzaker	5223	11 April 2007	

<b>Background Papers</b>			
<b>Document</b>	<b>Date</b>	<b>File</b>	<b>Place of Inspection</b>
Chorley Borough Council Tree Preservation Order NO. 8 (Chorley) 2006	8 <sup>th</sup> November 2006	TPO No.8 (Chorley) 2006	Civic Offices, Union Street