

**REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER**

TO: BRIERFIELD AND REEDLEY COMMITTEE

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Tree Preservation Order – TPO/NO1/2019 Reedley Grove

PURPOSE OF REPORT

To seek the approval of the Committee in order to confirm the Tree Preservation Order (TPO/NO1/2019 – Reedley Grove).

RECOMMENDATIONS

- (1) Approve and instruct the Principal Environment Officer to confirm the Tree Preservation Order (TPO).
- (2) Consider whether it would be pertinent to place an Order on the remaining street trees on Reedley Grove via an amendment should the Order be confirmed.

REASONS FOR RECOMMENDATIONS

- (1) To ensure that the tree is maintained in an appropriate manner and to British Standard BS 3998:2010.
- (2) To ensure that the amenity value of the area and the trees contribution to that amenity value is maintained.

ISSUE

1. A report regarding the confirmation of Tree Preservation Order TPO/NO1/2019 Reedley Grove was presented to the Committee at the meeting on the 6th August 2019. A decision was deferred to allow for a site visit.
2. The site visit took place on Friday 30th August 2019.
3. The report was resubmitted to the Committee at the meeting on the 3rd September where it was resolved that Mr. Siddique to be advised to submit an application for TPO works consent and the outcome be reported back to the Committee.

4. An email was received by the Principal Environment Officer on the 17th September from Mr. Siddique requesting permission to carry out works to the tree.
5. The application could not be processed or validated as it did not meet the criteria laid down in the Town and Country Planning (Tree Preservation)(England) Regulation 2012 for the following reasons:
 - i. The application was not submitted on the standard application form that is published by the Secretary of State.
 - ii. There was no plan attached.
 - iii. The information supplied did not clearly specify the work for which consent was sought.
 - iv. Accompanied by appropriate evidence.
6. The Principal Environment Officer replied on the 18th September explaining why the application could not be processed and included links for application forms and guidance notes.
7. No further application has been received at the Planning Office up to the time of writing this report (17th October 2019).
8. The provisional order is due to expire on the 29th November 2019.

IMPLICATIONS

Policy:

Pendle Local Plan Part 1: Core Strategy

Paragraph 8.9 states:

*'The quality of the local environment is an important part of the borough's identity. The area's built heritage and natural landscapes play an important cultural role and are catalyst for regeneration. **The protection and enhancement of these assets will provide a positive legacy for future generations.***

Paragraph 8.17 states:

*'**Increasing and improving woodland, trees and tree cover is a key objective for the borough.** In recognition of the fact that woodland, trees and hedgerows are important habitats for a number of wildlife species, the Council protects a number of trees and areas of woodland through the designation of Tree Preservation Orders (TPOs) and Conservation Areas where it is beneficial to the amenity or special character of an area. These actions will also have a beneficial impact on biodiversity.'*

Paragraph 8.32 states:

'Gardens, tree lined streets and road side verges all contribute to the local amenity and help to connect larger spaces together forming a network of green infrastructure provision. They can also help reduce risk and alleviate other impediments to development by reducing noise, flood risk and soil erosion, improving air quality and helping mitigate against the impacts of climate change by providing carbon storage and shading.'

Financial:

Carrying out unnecessary work to the tree will cause the tree to require cyclic maintenance and subsequent budget expenditure.

Legal:

Tree Preservation Orders are created using the Town and Country Planning (Tree Preservation)(England) Regulations 2019 and Part VIII of the Town and Country Planning Act 1990.

Natural Environment and Rural Communities Act (2006) – requires that in exercising its functions local authorities should have regard for conserving biodiversity.

Risk Management:

The risk management of the tree is the responsibility of the owner. However, the Tree Preservation Order will prevent unauthorised works taking place that could have a detriment on the health of the tree and creating possible hazards to the highway.

Health and Safety:

None.

Sustainability:

Street trees contribute to the capture of carbon dioxide from the atmosphere, prevent particular matter pollutants from reaching properties, alleviate flood risk and assist with urban cooling.

Community Safety:

None

Equality and Diversity:

None

APPENDICES**LIST OF BACKGROUND PAPERS**

Tree Preservation Order – TPO/NO1/2019 Reedley Grove. Report to Committee 6th August 2019.
Minutes of Brierfield and Reedley Committee – 6th August 2019.
Minutes of Brierfield and Reedley Committee – 3rd September 2019.