

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

**TO:** COLNE AND DISTRICT COMMITTEE

**DATE:** 11<sup>TH</sup> MAY, 2023

**Report Author:** Roland Jones  
**Tel. No:** 01282 661729  
**E-mail:** [roland.jones@pendle.gov.uk](mailto:roland.jones@pendle.gov.uk)

**CONFIRMATION OF TREE PRESERVATION ORDER  
TPO/No1/2023 – REEDYMOOR LANE FOULRIDGE**

**PURPOSE OF REPORT**

To request members to confirm Tree Preservation Order, TPO/No1/2023 – Reedy Moor Lane, Foulridge.

**RECOMMENDATIONS**

- (1) Confirm the Tree Preservation Order (TPO)

**REASONS FOR RECOMMENDATIONS**

- (1) The tree was potentially under threat from a proposed new access that has been approved.
- (2) The tree contributes to the character of the area and is an important part of the tree lined lane.
- (3) The tree evaluation system used to determine suitability for TPO found the tree to be suitable.

## ISSUE

1. In December 2022 the Environment Officer was contacted with regard to the concerns of local residents that an Oak tree may be under threat of removal due to a planning application for the formation of a new field access on Reedymoor Lane, Foulridge.
2. The concerns were that this widening of the access could put potentially result in the removal of the tree due to highway sight line issues.
3. The Environment Officer attended site and carried out an evaluation of the tree. It was decided that an Emergency Tree Preservation Order would be put in place.
4. The Emergency TPO was put in place on the 1<sup>st</sup> January 2023 and period of 28 days has been allowed for objections to the order to be raised. No objections have been received.
5. Under the Council's Constitution the Officer requires the consent of Councilors in order to confirm a Tree Preservation Order and make it permanent.
6. The tree is one that contributes to the visual amenity and landscape amenity of the area and is one that is suitable to have a TPO placed on it.

## IMPLICATIONS

### Policy:

Paragraph 8.46 of the Pendle Local Plan Part 1: Core Strategy states:

*'The landscape character of the borough will be protected especially in the open countryside.'*

### Financial:

None

### Legal:

The Council have powers to make a Tree Preservation Order under the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Section 40 of the Natural Environment and Rural Communities Act 2006 requires local authorities and government departments to have regard to the purposes of conserving biodiversity in a manner that is consistent with the exercise of their normal functions such as policy and decision-making. Conserving biodiversity may include enhancing, restoring or protecting a population or habitat.

### Risk Management:

None

**Health and Safety:**

The tree is in a healthy condition and does not pose a threat to health and safety over and above the risk any healthy tree poses.

**Sustainability:**

The trees contribute to sustainability in several ways these include:

- Supporting the biodiversity of the area.
- Remove carbon dioxide and particular matter from the air.
- Uptake large amounts of water from the ground.

**Community Safety:****Equality and Diversity:****APPENDICES**

Appendix 1 – Tree Preservation Order

Appendix 2 – Principal Environment Officers Assessment

**LIST OF BACKGROUND PAPERS**

None