

REPORT FROM:	ASSISTANT DIRECTOR PLANNING, BUILDING CONTROL AND REGULATORY SERVICES
TO:	BARROWFORD AND WESTERN PARISHES COMMITTEE
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Report Author:	Roland Jones
Tel. No:	01282 661729
E-mail:	roland.jones@pendle.gov.uk

**CONFIRMATION OF TREE PRESERVATION ORDER
TPO/No2/2023 – 8 LINDEN CLOSE, BARROWFORD**

PURPOSE OF REPORT

To request Members to confirm Tree Preservation Order, TPO/No2/2023 – 8 Linden Close, Barrowford.

RECOMMENDATION

Confirm the Tree Preservation Order (TPO).

REASONS FOR RECOMMENDATION

- (1) The tree was potentially under threat from the proposed development at the address that has been approved.
- (2) The tree contributes to the character of the area and is an important part of the shelterbelt of trees lining a busy road.
- (3) The tree evaluation system used to determine suitability for TPO found the tree to be suitable.

ISSUE

1. In April 2022 the Environment Officer was contacted about planning proposals that included the removal of an Oak tree due to the design of the development at 8 Linden Close, Barrowford. After much delay and discussion, approval was given for development that includes the retention of the tree.

2. The concerns were that removing the tree would have a negative effect on the character of the area and that the tree is an amenity value.
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 13th November, 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 arising directly from this report.

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 arising directly from this report.

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: None arising directly from this report.

Equality and Diversity: None arising directly from this report.

APPENDICES:

Appendix 1 – Tree Preservation Order

Appendix 2 – Principal Environment Officers Assessment

LIST OF BACKGROUND PAPERS:

None.