

**REPORT FROM:** ASSISTANT DIRECTOR, PLANNING, BUILDING  
CONTROL AND REGULATORY SERVICES

**TO:** COLNE AND DISTRICT COMMITTEE

**DATE:** 9<sup>TH</sup> MAY 2024

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**CONFIRMATION OF TREE PRESERVATION ORDER  
TPO/No1/2024 – PROSPECT FARM PARK, LENCHES ROAD COLNE**

**PURPOSE OF REPORT**

To request members to confirm Tree Preservation Order, TPO/No1/2024 – Prospect Farm Park, Lenches Road, Colne.

**RECOMMENDATIONS**

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

**REASONS FOR RECOMMENDATIONS**

- (1) There have been numerous trees removed from the site over time.  
(2) Not only do the trees contribute to the character of the area but are important for screening purposes.  
(3) The tree evaluation system used to determine suitability for a Tree Preservation Order found the trees to be suitable for protection.

**ISSUE**

1. It has been noticeable over the last few years that vegetation and trees have been lost and/or removed across the site (see appendix 1). The Environment Officer, by request from the Assistant Director Planning, Building Control & Regulatory Services, was asked to assess the loss of trees and decide if the remaining trees were suitable for a Tree Preservation Order (TPO).
2. Prior to seeking consent to raise a TPO, the Council's Environment Officer visited the site and completed a 'Tree Evaluation Method for Preservation Orders' assessment (TEMPO). This method, developed by a Registered Consultant of the Arboricultural

Association, is a systematised assessment tool and has been widely used across the arboricultural profession.

3. The TEMPO assessment scored relatively highly (see appendix 2) and deemed the remaining trees as suitable for the making of a TPO.
4. The concerns are that any more tree removal could eventually open the site up to views in and out of the site, and given its high elevation, could become a noticeable feature in the landscape.
5. The Environment Officer attended site and carried out an evaluation of the tree. It was decided that an Emergency Tree Preservation Order, in the form of an Area Order, would be put in place.
6. The Emergency TPO was put in place on the 22<sup>nd</sup> February 2024 and a period of 28 days has been allowed for objections to the order to be raised. No objections have been received.
7. Under the Council's Constitution the Officer requires the consent of Councilors in order to confirm a Tree Preservation Order and make it permanent.
8. The trees contribute to the visual and landscape amenity of the area and provide suitable screening for the development within, therefore, are suitable for a TPO.

## **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 trees are an overall 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 TEMPO Assessment

Appendix 3 – Historical Site Plans

**LIST OF BACKGROUND PAPERS**

None