Report Title	CONFIRMATION OF TREE PRESERVATION ORDER TPO/NO3/2026 LAND OFF KELBROOK ROAD
Meeting	WEST CRAVEN COMMITTEE
Meeting Date	1ST DECEMBER 2026
Report Author	REBECCA TURNER
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR LOLA WHIPP
Wards Affected	EARBY & COATES
Public. Part Exempt, or Fully Exempt	NONE
Appendices (if any)	Appendices 1-7 Listed at para 11

1. Executive Summary

1.1 REASONS FOR RECOMMENDATIONS

1.2 The trees were under threat after a new access was installed and after visiting site other trees had already been removed.

1.3 The trees provide amenity value through their contribution to the character and appearance of the surrounding landscape, with additional environmental and biodiversity benefits.

1.4 The tree evaluation system used to determine suitability for a Tree Preservation Order assessed the amenity value of the trees to be worthy of protection (TEMPO).

2. Recommendations

For the reasons set out in this report, the WEST CRAVEN COMMITTEE is recommended to:

2.1 Confirm the Tree Preservation Order (TPO).

3. Information: The Rationale & Evidence for the Recommendations

3.1 The trees were considered to be under threat following the creation of a new access to the site. A site inspection confirmed that several trees had already been removed, raising concerns about further tree loss.

3.2 Several trees had already been removed from the central area of the site, with stacks of logs and brash observed throughout. This provided evidence of recent tree removal and raised concerns of the potential loss of further trees.

3.3 The woodland provides amenity value through their contribution to the character and appearance of the surrounding landscape, with additional environmental and biodiversity benefits.

3.4 The Tree Evaluation Method for Preservation Orders (TEMPO) assessment identified the woodland as suitable for protection due to its overall condition, variety of species and long-term potential to develop into a mature woodland. The trees are visible from several public locations, including Kelbrook Road, Colne Road, public footpaths and the Leeds and Liverpool Canal. Evidence of previous tree removal also indicates an immediate threat to the remaining woodland. The assessment resulted in a score of 22, which falls within the TEMPO category of “Definitely merits TPO”.

4. Link to Corporate Plan Priorities: (Providing High Quality Services and Facilities, Proud and Connected Communities and Places, Good Growth and Healthy Communities)

4.1 Paragraph 8.46 of the Pendle Local Plan Part 1: Core Strategy states that ‘The landscape character of the borough will be protected especially in the open countryside.’ The protection of this woodland supports the Council's corporate priority of Proud and Connected Communities and Places by preserving the character and visual amenity of the surrounding landscape.

5. Implications

None

5.1 Financial Implications

None

5.2 Legal and Governance Implications

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.

5.3 Climate and Biodiversity Implications

Trees are important for both the climate and biodiversity.

5.4 **Human Resources Implications**

None

5.5 **Equality and Diversity Implications**

None

6. Consultation

6.1 Ward Councillor and landowners that surround the area.

6.2 The Tree Preservation Order was put in place on the 11th September 2026 and a period of 28 days (until 9th October 2026) was allowed for objections to the Order to be raised.

6.3 One written objection was received in the consultation period. The objection stated that the woodland does not warrant a Tree Preservation Order arguing that the change in ownership provides sufficient protection, with previous threats of vandalism and damage reportedly removed. It also highlighted the presence of Ash trees affected by ash dieback. The objection also had a TEMPO assessment which scored the woodland at 8, citing its condition, limited retention span, restricted public visibility and lack of significant arboritcultural features. The report concludes that appropriate woodland management, including the removal of the declining trees due to Ash Dieback, replanting and regular inspections, would be more suitable than statutory protection.

6.4 The Council considered and responded to the objection and accompanying arboricultural report and remains of the view that the woodland warrants protection due to its collective amenity value and public visibility. Although some ash trees are affected by ash dieback, appropriate woodland management, including maintenance and the removal of declining trees where necessary, would support the woodland's long-term health and development into a mature woodland. The woodland comprises a mixture of species, including Silver Birch, Rowan, Field Maple, Hawthorn and other broadleaved trees, which are predominantly young and semi-mature and have the potential to become a mature woodland. The woodland is visible from Kelbrook Road, Colne Road, public footpaths and the Leeds and Liverpool Canal. The Council's TEMPO assessment scored the woodland at 22, compared with the objector's score of 8. Evidence of previous tree works, including felled trees, was also observed during the site inspection. Whilst acknowledged that there has been a change in ownership that on its own does not indicate that there is no threat. The woodland clearly has amenity value and is worthy of protection and it is recommended that the TPO be confirmed.

7. Alternative Options Considered

None

8. Reasons for the Recommendations

8.1 The Council was asked to investigate a potential threat to the trees following the installation of a new gateway providing access to the site.
During a site inspection it was observed that several trees had already been removed from the central area of the site, with stacks of logs and brash distributed throughout.
The woodland predominantly comprises young to semi-mature trees, estimated to be approximately 20–30 years old. Although some trees are showing signs of Ash Dieback, the remaining trees have significant potential to develop into a mature woodland with appropriate management.
The woodland makes a positive contribution to the character and visual amenity of the surrounding area, being visible from several public roads, public footpaths and the nearby canal. Its collective amenity value, future potential and evidence of recent tree removal support the need for statutory protection to safeguard the woodland's long-term retention and development.

9. Statutory Officer Sign off (please tick)

Section 151 Officer	x
Monitoring Officer	x

10. Background Documents

N/A

11. Appendices

Appendix 1 – Trainee Environment Officers TEMPO Assessment
Appendix 2 – Google Street Imagery of trees visibility from the Canal
Appendix 3 – Google Street Imagery of trees visibility from Colne Road
Appendix 4 – Site photos taken by Trainee Environment Officer on 9th September 2026
Appendix 5 – Objection report received from Nathan Hudson on the 6th October 2026
Appendix 6 – TPO Objection letter received from Nathan Hudson on 6th October 2026
Appendix 7 – Trainee Environment Officers response to objection letter dated 9th November 2026

Contact Officers

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