

<b>Subject:</b>	RBC Tree Preservation Order No1 (Edenfield Methodist Church, Rochdale Road, Edenfield) 2017	<b>Status:</b>	For Publication	
<b>Report to:</b>	Development Control	<b>Date:</b>	18 July 2017	
<b>Report of:</b>	Planning Manager	<b>Portfolio Holder:</b>	Regulatory Services,	
<b>Key Decision:</b>	N/A	Forward Plan N/A	General Exception N/A	Special Urgency N/A
<b>Equality Impact Assessment:</b>	Required:	No	Attached:	No
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached:	No
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1.	<b>RECOMMENDATION(S)</b>
1.1	To provide Members with proposed modifications to the TPO, taking into consideration the objection.

## 2. PURPOSE OF REPORT

- 2.1 To inform Members that an objection has been received to a recently made TPO.
- 2.2 To provide Members with proposed modifications to the TPO, taking into consideration the objection.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.
  - **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.
  - **Clean Green Rossendale:** This priority focuses on clean streets and town centres and well managed open spaces, whilst recognising that the Council has to work with communities and as a partner to deliver this ambition.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 There are no specific risk issues for members to consider arising from this report.

## 5. BACKGROUND

- 5.1 Officers learned that trees of substantial size within the grounds of Edenfield Methodist Church, and/or on surrounding land, were being felled. To ensure further trees of particular visual amenity value in the area were not removed a Tree Preservation Order was made in

respect of them. Attached is a Plan showing the positions of 2 individual trees and 2 areas of trees included in the Order, together with the Schedule identifying their species.

- 5.2 An objection to the TPO has been received and needs to be considered.
- 5.3 The objection has been submitted on behalf of the owner of Hawthorn House and advises that *“a number of the trees, now subject to the TPO, are either diseased, in the process of falling down, or just plain dangerous”*.
- 5.4 Since receipt of the objection the opportunity has been taken to carry out a further inspection of all of the trees to which the TPO refers, having regard to their physical condition and visual amenity value. It has been concluded that it is appropriate to modify the order, thereby omitting some of the trees and providing greater clarity about the trees which should continue to have the protection of the order.
- 5.5 It should also be noted that following the making of the TPO residents of 2 properties fronting Bond Street submitted applications seeking consent to fell, respectively, 1 and 9 of the 10 trees within Area A2. They wished to fell these trees due to *“excessive shading; overhanging public footpath; potential damage to footpath, fences and sheds at 24 & 26 Bond Street”*. In accordance with the advice of the Council’s Tree Consultant, both applications were refused.
- 5.6 Attached is a Plan showing the positions of the 24 individual trees it is recommended be included in the modified Order, together with the Schedule identifying their species.

#### **COMMENTS FROM STATUTORY OFFICERS:**

##### **6. SECTION 151 OFFICER**

- 6.1 No material financial implications.

##### **7. MONITORING OFFICER**

- 7.1 No comments

##### **8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

- 8.1 None.

##### **9. CONCLUSION**

- 9.1 There remains a case for continuing to afford TPO protection to some, but not all, of the trees referred to in the Order as made in March 2017.

#### **Background Papers**

##### Documents :

RBC TPO No1 (Edenfield Methodist Church, Rochdale Road, Edenfield) 2017

Letter of objection on behalf of the owner of Hawthorn House

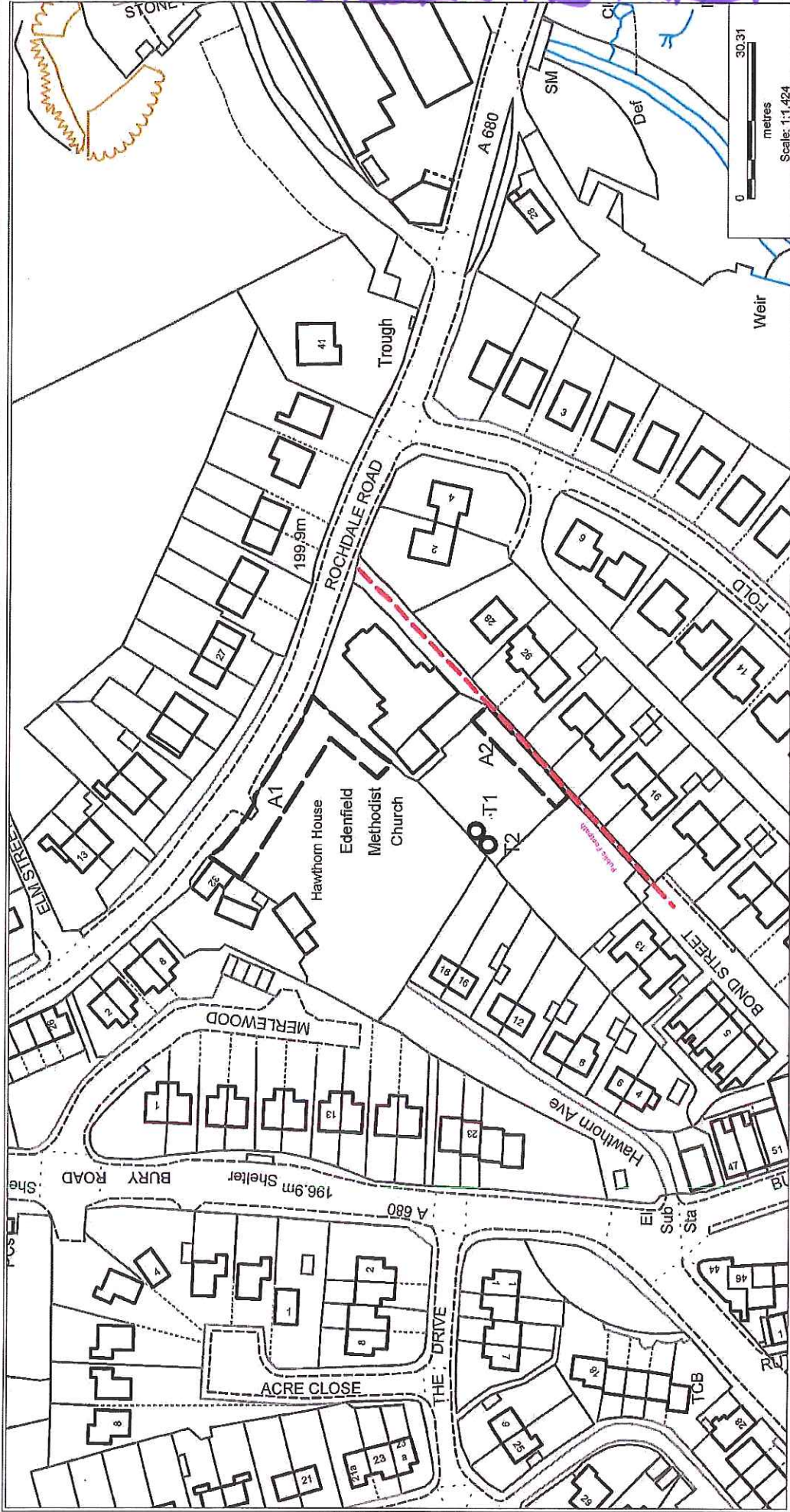
Tree Works Applications 2017/0016/TPO and 2017/0017/TPO

##### Place of Inspection :

Rossendale Borough Council  
The Business Centre  
Futures Park  
Newchurch Road  
Bacup  
OL13 0BB

ORDER AS FIRST MADE

Rossendale Borough Council (Edenfield Methodist Church, Edenfield) Tree Preservation Order No1 2017



Scale: 1:1000

Date: 15 March 2017

Gwen Marlow

Forward Planning

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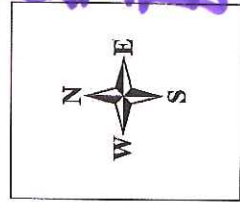
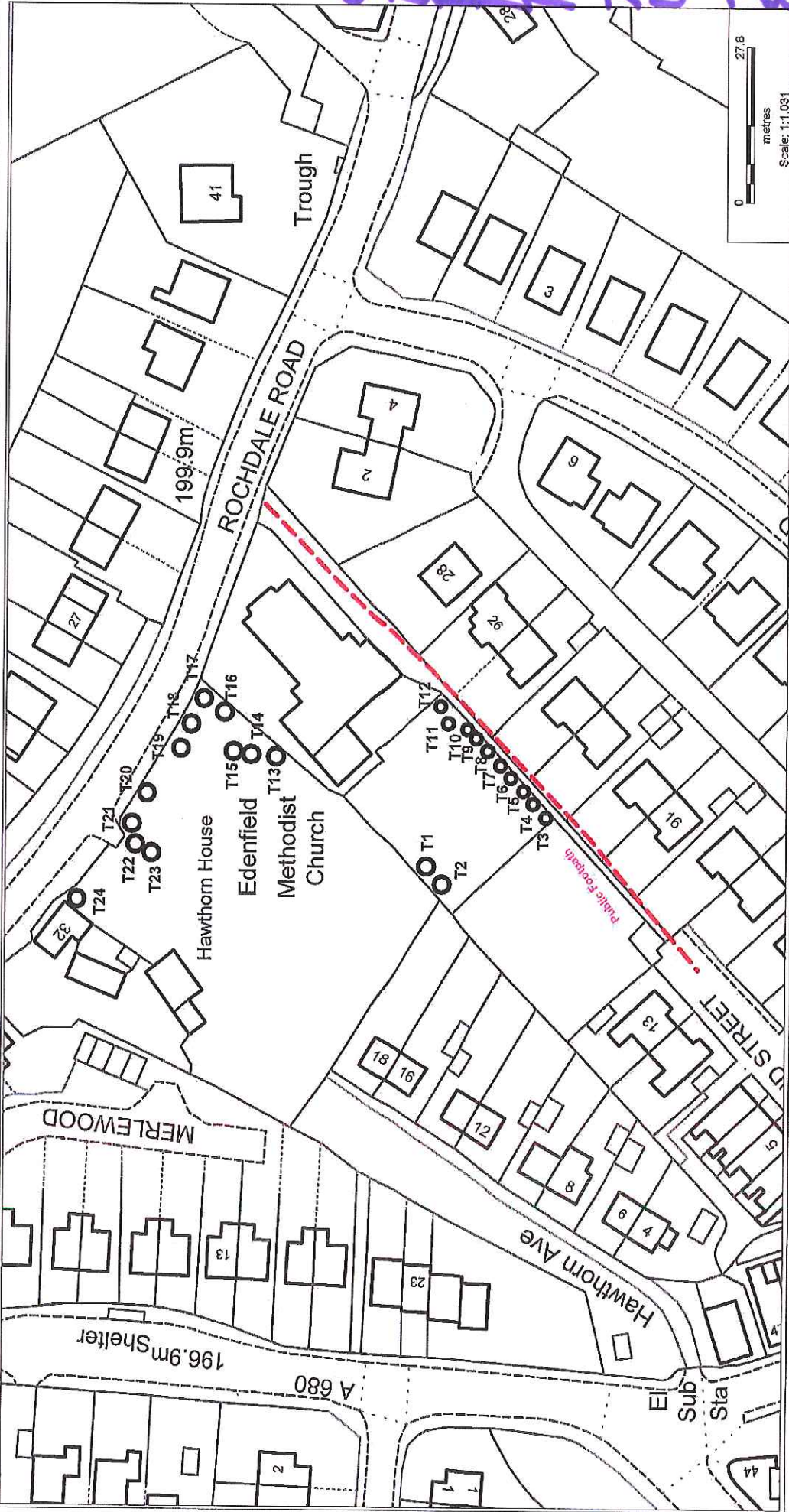
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ORDER AS MODIFIED

Rossendale Borough Council (Edenfield Methodist Church, Rochdale Road, Edenfield) Tree Preservation Order No1 2017



Scale: Gwen Marlow  
 Date: 5 July 2017  
 Forward Planning

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