

<b>Subject:</b>	RBC Tree Preservation Order (Clough End Road, Haslingden) No 3 2017	<b>Status:</b>	For Publication	
<b>Report to:</b>	Development Control	<b>Date:</b>	16 <sup>th</sup> January 2018	
<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
<b>Contact Officer:</b>	Neil Birtles	<b>Telephone:</b>	01706-238645	
<b>Email:</b>	planning@rossendalebc.gov.uk			

## 1. RECOMMENDATION(S)

- 1.1 To provide Members with proposed modifications to the TPO, taking into consideration the objection to it which has been received.
- 1.2 That members confirm the TPO with the modifications as set out in this report.

## 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 Prior to receipt of an application seeking planning permission to erect a dwelling on a parcel of land to the east side of Clough End Road a small number of mature trees were cleared from the south-east corner of the site. To prevent further trees of public amenity

value on the site being felled a TPO was made. The Applicant lodged an objection to the TPO but has indicated that they will have no objection to it so long as planning permission is granted to Application 2017/0325 for erection of the proposed dwelling and its associated drive and parking area.

- 5.2 As Application 2017/0325 is still to be determined consideration needs to be given to the objection to the TPO which has been received.
- 5.3 As first made the TPO sought to protect all trees on land said to be within the Applicant's ownership and immediately beyond its boundaries. The Applicant has since acknowledged that they do not own such an extensive area of land as they first suggested. Since the TPO was made your Officers have also had the opportunity to carry out a fuller inspection of the trees to which the TPO refers, having regard to their physical condition and visual amenity value. This has established that, whilst there remain a significant number of mature trees on the parts of the site sloping up from Clough End Road and from Duckworth Clough Brook, the level part of the site to their rear possesses only one tree of public amenity value.
- 5.4 Accordingly, it is considered appropriate to recommend modification of the TPO so that it affords protection to a reduced area of woodland and the one tree of public amenity value to the rear.
- 5.5 Plan 1 shows the area of Woodland W1 as the TPO was first made. Plan 2 shows the reduced area of Woodland W1 and Individual Tree T1 it is recommended be afforded protection in the modified Order.

#### **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 July 2017.

#### **Background Papers**

##### Documents :

RBC TPO (Clough End Road,  
Haslingden) No 3 2017

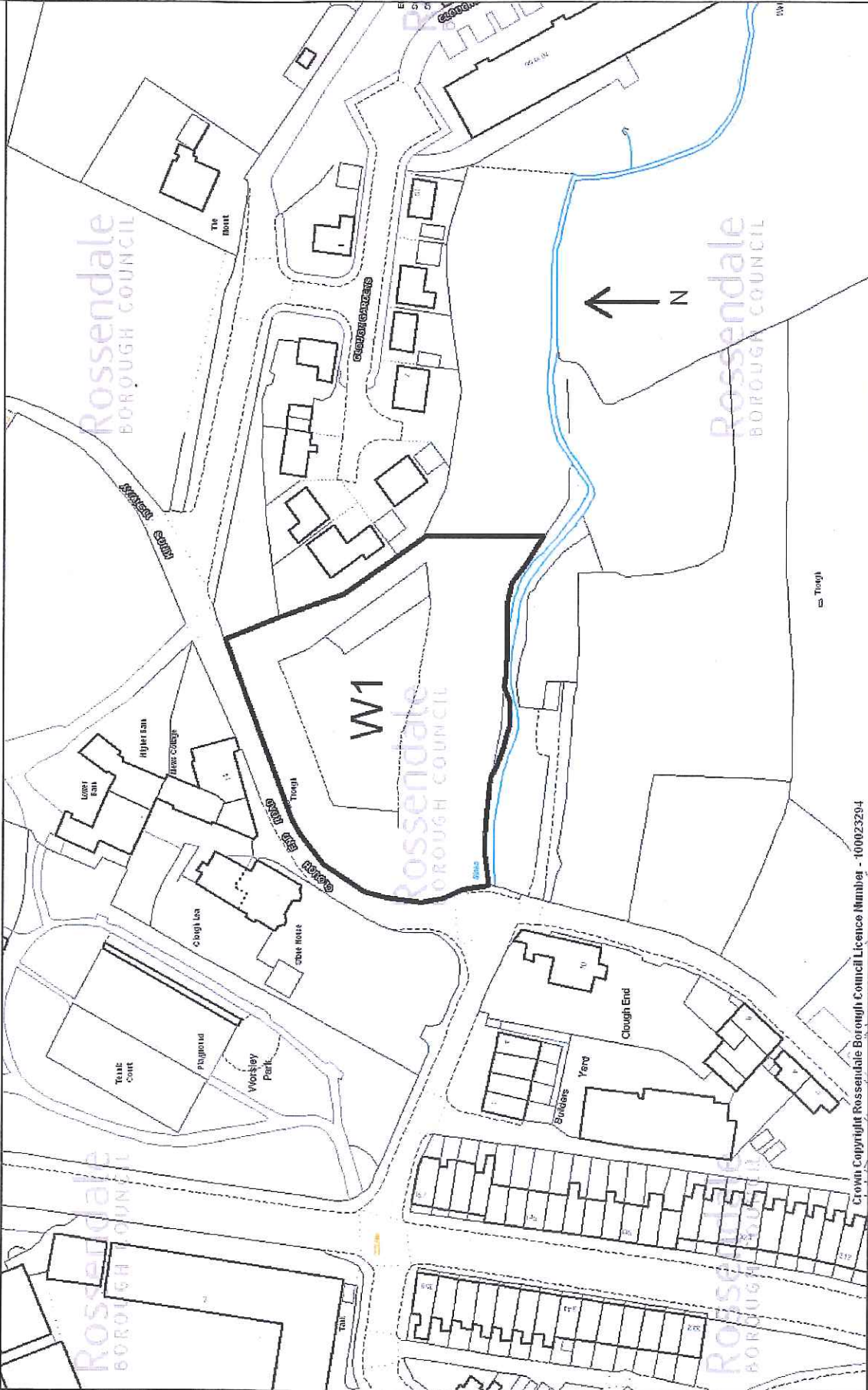
Planning Application 2017/0325

Letter of objection to the TPO on  
behalf of the Applicant (25/08/17)  
and subsequent email (22/12/17)

##### Place of Inspection :

Rosendale Borough Council  
The Business Centre  
Futures Park  
Bacup  
OL13 0BB

Rossendale Borough Council (Clough End Road, Haslingden) Tree Preservation Order No 3 2017



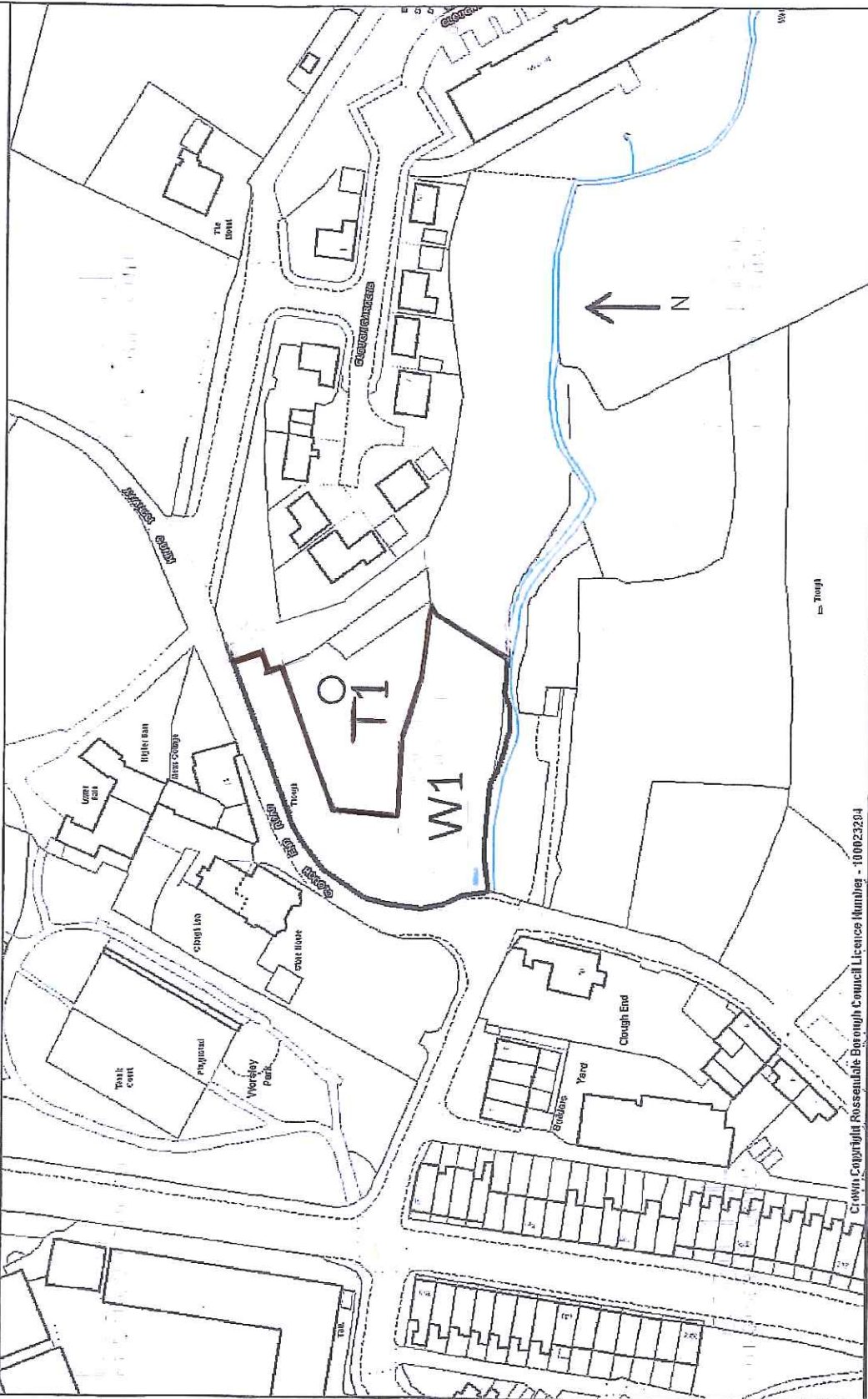
Date 25/7/2017

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