

## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

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Agenda Item No.

meeting date: 4 NOVEMBER 2010  
title: TREE PRESERVATION ORDER – 15 REDWOOD DRIVE, LONGRIDGE  
submitted by: DIRECTOR OF DEVELOPMENT SERVICES  
principal author: DAVID HEWITT – COUNTRYSIDE OFFICER

### 1 PURPOSE

1.1 The purpose of this report is for Committee to decide whether or not to confirm a Tree Preservation Order.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions – To help make people's lives safer and healthier. Protecting trees helps to safeguard the natural environment.
- Community Objectives – Safeguarding local and visual amenity value.
- Corporate Priorities – To maintain the environmental quality of Ribble Valley.
- Other Considerations – None.

### 2 BACKGROUND

2.1 A Tree Preservation Order was made on 15 July 2010 to protect an Oak tree growing in the garden of 15 Redwood Drive, Longridge (see Appendix 1 – tree T1 on the location plan).

2.2 The Order was made at the request of the owner of 15 Redwood Drive and in accordance with due process a copy of the Order was also served on the owner of the neighbouring property at 2 Oakway, Longridge.

2.3 The owner of no 2 Oakway has objected to the making of the Order (Appendix 2 – letter of objection).

2.4 When a Tree Preservation Order is made it is on a provisional basis continuing in force for six months or until the Order is confirmed with or without modifications, whichever occurs first. However, if objections are raised to a Tree Preservation Order, the Council have to give due consideration to those objections before deciding whether to confirm the Order.

### 3 ISSUES

3.1 The tree included in the Tree Preservation Order is an Oak growing in the front garden belonging to 15 Redwood Drive, Longridge. The tree has a crown spread as measured from the centre of the trunk to the edge of the branch spread of 11m and is

approximately 10.5m high. It overhangs the garden of the neighbouring property, 2 Oakway.

3.2 The owner of the tree in question has requested the Tree Preservation Order because the owner of 2 Oakway had removed a large overhanging branch and had become concerned that if any more branches were to be removed the tree's visual amenity value and health may be affected.

3.3 The nature of the objections raised by the owner of 2 Oakway are:

- the current shape of the tree does not appear to be balanced;
- the tree mainly overhangs 2 Oakway;
- roosting birds make the drive unusable when the tree is leafless;
- the canopy of the tree tends to grow towards the house and has been known to overhang it;
- the Tree Preservation Order would prevent essential trimming of this section of the tree;
- the tree canopy is now out of proportion for its surroundings and blocks a significant amount of light and view to the fells.

3.4 In response to his neighbours concerns, the owner of the tree has commissioned a detailed tree report. The summary of his findings is as follows:

- The tree is considered to be of moderately high visual amenity value in the immediate local landscape.
- It is in the early mature age range and has potential to live for many years to come and therefore continue to contribute to the visual amenity value of the area in the mid to long term.
- The tree evaluation method for preservation order system has concluded that taking into consideration all of the factors, the Local Planning Authority were correct in their decision to protect the tree with a Tree Preservation Order.
- The Oak tree was seen to be free from major structural defects with an acceptable quantified tree risk assessment index.
- It is considered appropriate for the Council to confirm the current Tree Preservation Order without modification.

#### 4 CONCLUSION

4.1 The owner of 15 Redwood Drive requested the Tree Preservation Order because he was concerned that the recent branch removal would have an impact on the tree's health and affect its visual amenity value.

4.2 Confirmation of the Order will make it illegal for anyone to top or fell the tree except in an emergency eg if the tree is dying, dead and considered to be dangerous to life and/or property. It will also protect the tree if at any future date 15 Redwood Drive is sold.

4.3 It will not make it illegal to remove overhanging branches for the abatement of nuisance. However, in order to safeguard the tree's visual amenity value and structural integrity, it will be necessary for any tree work to be carried out in accordance with British Standards 3998 for Tree Work. Any tree work will require the submission of a tree work application.

4.4 Therefore, confirmation of the Order will protect the tree from any work that may seriously have a detrimental effect on the tree's health and shape, but at the same time it does not prevent the removal of any overhanging branches that may be considered as actionable nuisance at any time in the future.

## 5 RISK ASSESSMENT

5.1 The approval of this report may have the following implications:

- Resources – The Council is responsible for maintaining records of all Tree Preservation Orders within the district.
- Technical, Environmental and Legal – The Council is responsible for processing applications for tree work on trees included in Tree Preservation Orders.
- Political – None.
- Reputation – The Council's reputation for safeguarding the natural environment will be enhanced.

## 6 **RECOMMENDED THAT COMMITTEE**

6.1 Confirm the Tree Preservation Order served on the 9 June 2010.

DIRECTOR OF DEVELOPMENT SERVICES

## BACKGROUND PAPERS

1 A copy of tree report carried out by Bowland Tree Consultancy Services is available.

For further information please ask for David Hewitt, extension 4505.