

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	15 MARCH 2017	5
FYLDE COUNCIL TREE PRESERVATION ORDER 2016.05: MOSS SIDE LANE, WREA GREEN.			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The council has received a formal objection to Fylde Council Tree Preservation Order 2016.05: Moss Side Lane, Wrea Green. This TPO must be confirmed before 30th March 2017 or it will become ineffective.

The council's constitution requires that when an objection is received, the decision to confirm it must be taken by Planning Committee.

The Tree Officer has considered this objection and finds that it is not substantiated.

RECOMMENDATIONS

1. That the committee confirms the Order so that it is permanent.

SUMMARY OF PREVIOUS DECISIONS

Not applicable.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	
Delivering the services that customers expect of an excellent council (Clean and Green)	√
Working with all partners (Vibrant Economy)	
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	√
Promoting Fylde as a great destination to visit (A Great Place to Visit)	√

REPORT

The TPO.

TPO 2016.05 Moss Side Lane Wrea Green was made on 30th September 2016 in response to planning application 16/0619 Land south of Moss Side Lane, Ribby-with-Wrea. The Order protected eight trees fronting Moss Side Lane in order to secure their public amenity contribution to the area. It did not affect or restrict the planning application as originally presented to the council.

Objection.

An objection was received by email on 27th October 2016. This was accompanied by a complex arboricultural report intended to reinforce the grounds of the objection both on procedural matters relating to the serving of the TPO, and on technical arboricultural matters. The Tree Officer has examined this in detail and rebuts its contents, finding that in some aspects the report contradicts itself by suggesting that trees the developers originally wished to retain in the proposed development are now being reconsidered by them as unsuitable for retention and long-term protection by tree preservation order. The Tree Officer is not convinced that the condition of the trees in the Order renders them unsuitable for protection.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report.
Legal	The procedure for tree preservation orders is set out in the Town and Country Planning (Tree Preservation)(England) Regulations 2012. Under the regulations, a tree preservation order has provisional effect for six months after it is made, but then automatically lapses unless the council confirms it. The council must consider any objection before it can confirm the order.
Community Safety	None Arising from this report.
Human Rights and Equalities	None Arising from this report.
Sustainability and Environmental Impact	None Arising from this report.
Health & Safety and Risk Management	None Arising from this report.

LEAD AUTHOR	TEL	DATE	DOC ID
Alan Wallbank	01253 658446	6 th March 2017	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Objection Letter and Report	October 2016	Fylde Council Offices

Attached Documents

Appendix 1 – Objection Letter dated 27 October 2016 and Arboricultural Report

Appendix 2 – Technical Response to Objection