

**APPEALS AND REVIEWS COMMITTEE
1ST OCTOBER 2018**

PRESENT: The Chair (Councillor Capleton)
Councillors Cooper and Hachem

Principal Solicitor (KH)
Team Leader Natural & Built Environment
Senior Landscape Officer
Democratic Services Officer (NA)

R. Thurling – Shakespeare Martineau
D. Carter – Golby and Luck

APOLOGIES: Councillor Gaskell

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

9. APOLOGIES

10. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Committee held on 9th July 2018 were received and noted.

11. QUESTIONS UNDER OTHER COMMITTEE PROCEDURES 12.8

No questions were submitted.

12. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

13. BOROUGH OF CHARNWOOD (FOREST COURT, FOREST ROAD, LOUGHBOROUGH) TREE PRESERVATION ORDER 2018

A report of the Head of Strategic Support was submitted setting out details of the Tree Preservation Order served on the above site, the objection received to the Order and the comments of the Head of Planning and Regeneration on the issues raised by the objection (item 5 on the agenda filed with these minutes).

The Principal Solicitor assisted with the consideration of the report.

The Head of Planning and Regeneration's representative attended the meeting to put forward their case and answer the Committee's questions.

The Committee was advised that the objectors to the Tree Preservation Order were present and had not removed their objections to the TPO.

The Committee considered this matter in accordance with the “Procedure for Considering Objections to Tree Preservation Orders” set out in the Council’s Constitution and on the agenda for this meeting.

RESOLVED that the Borough of Charnwood (Forest Court, Forest Road, Loughborough) Tree Preservation Order 2018 be confirmed, with modifications to replace the original schedule with the amended version provided below.

Reason

Having considered, in accordance with the procedure set out in the Council’s Constitution, the objection to the Order that the reasons put forward for not protecting the trees did not outweigh the contribution they made to the amenity of the area and that the trees should therefore be protected, subject to the modification set out below.

The Committee advised that they had found it difficult to make a decision due to the differing approaches taken by both parties: the visual amenity assessment completed by the Council Officer which was considered very valuable and used widely and the scientific TEMPO assessment completed by the objector.

The Committee decided to modify the Order to take into account the results of both assessments as they felt that provided the best outcome for the trees. The Committee felt that that TEMPO assessment was clear which trees should be protected but the Committee decided to make the addition of tree T1 as they felt it should be protected.

TREE PRESERVATION ORDER

Specification of Trees
Borough of Charnwood
(Forest Court, Forest Road, Loughborough)

TREE PRESERVATION ORDER 2018

Ref No.	Description	Location
A.	<u>Individual trees</u>	
T1	Horse Chestnut	Situated approximately between Block 1 and Block 2 @ SK SK453372 319183; ID tag #0220
T2	Corsican Pine	Situated NW of the NW elevation of Block 1 by approx. @ SK 453365 319177; ID tag #0231
T5	Corsican Pine	Situated east of Block 2 in shrub bed by approx. 15m; @ SK 453398 319208
T9	Common Lime	Situated to the Forest Road frontage of Forest Court on grass verge adj to eastern boundary wall of Emmanuel Church grounds; ID tag #7515 ; @SK 453402 319121
T10	Yew	
T11	Holly	Situated on grass verge at Forest Road Frontage; @SK 453421 319133
T12	Horse Chestnut	Situated on grass verge at Forest Road Frontage, south of Block 3: SK453426 319137
T13	Lime	Situated on the grass verge to frontage of Forest Court south of Block 3; @SK 453431 319142
T14	Robinia	Situated on grass verge to frontage of Forest Court southeast of Block 3; @SK 453437 319149
		Situated within the grounds of Emmanuel Church adj to the eastern boundary wall; @SK 453372 319133

B. Trees within an area

None

C. Trees within a group

G1	Beech (9)	Situated North of Block 1 and to the west of block 2 along the southern bank of the Wood Brook; @ SK453355 319203
G2	Beech (3)	. Situated northeast of block 2 on the south bank of the Wood Brook; 2x are ID tagged #0223 & #0224; @ SK453364
G3	Holly (3)	Situated in highway verge fronting the development; @SK453408 319123

D. Trees within a woodland

None

NOTES:

1. No reference may be made to these minutes at the Council meeting on 5th November unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Appeals and Reviews Committee.