

Request for a Decision under Delegated Powers

Officer Requesting the Decision

Nola O'Donnell Senior Landscape Officer

Officer Making the Decision

Chief Executive

Decision Requested

To **make** the Borough of Charnwood (Land at Gynsill, Lane Anstey) Tree Preservation Order 2019 pursuant to the Town and Country Planning (Tree Preservation) (England) Regulations 2012/605

Reason

To ensure the trees, which make a significant contribution to the visual amenity of the area, are properly protected and retained in a satisfactory manner. The immediate protection afforded by a provisional order is considered appropriate as trees on the site have already been felled and a potential threat is posed to those remaining.

Authority for Decision


Authority is delegated under paragraph 8.2 (1) on page 8-3 of Part 3 of the Constitution to the Chief Executive following consultation with the Mayor

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- To take such action as is required in the case of an emergency or urgency subject to:
 - (i). consultation with the Mayor, the Chair of the relevant committee, or, in the Chair's absence, the Vice-Chair;
 - (ii). consultation with the Chief Executive and relevant Strategic Directors in each case; and
 - (iii). a report on the action taken being made to the next meeting of the Council or relevant committee, as appropriate.

Decision

I agree with the recommendation



Chief Executive

Date 08 FEBRUARY 2019

Policy Context

Within the Corporate Plan to 2011/12 we aim to deliver a Sustainable Environment. Under that strategic aim we are committed to safeguarding the natural heritage of the Borough. Trees and hedgerows are key components

of the natural heritage and national legislation provides for their protection in appropriate circumstances.

Background

It has come to light that a number of trees on the site, known in planning terms as PSH 144 have recently been felled, pre-empting a proposal to seek permission for re-development of the site. Three significant trees, 1 ancient oak [on the National Ancient Tree Inventory -SK54960749 <https://ati.woodlandtrust.org.uk/tree-search/tree?treeid=2574&from=3523&v=1455612&ml=map&z=16&nwLat=52.665158242386795&nwLng=-1.2030092653850466&seLat=52.65935384591218&seLng=-1.1724964556316286#/detail>], this was a tree of National Importance and two veteran category oak, several other mature ash and oak were felled. The reports from a customer via the Councils Facebook page is that this occurred on the Sunday 3 February 2019. Field hedgerows and a number of other mature trees remain undisturbed, all which make a valuable visual contribution in the local environment. Although it may be intended to retain these, there is clearly a potential threat that could result in further losses and it is considered essential, therefore, to pursue a preservation order to safeguard the trees- a lime an oak and an ash tree.

Consultations have been carried out in accordance with the scheme of delegation and there have been no adverse comments made.

Financial Implications

None

Risk Assessment/Management

If not protected, there is a risk a significant tree, important in the landscape, will be lost to the detriment of the visual amenity of the area.

Background Documents

Proposed TPO schedule and plan