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**MEETING:** Planning Control Committee

**DATE:**

**SUBJECT:** TREE PRESERVATION ORDER - 350 to 354A  
Manchester Road, Bury

**REPORT FROM:** Borough Planning & Economic Development Officer

**CONTACT OFFICER:** K D Hotham

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**TYPE OF DECISION:**

**REPORT STATUS:** For publication

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**PURPOSE/SUMMARY:**

Recommendation for the confirmation of the Metropolitan Borough of Bury (350 to 354A) Tree Preservation order 2004

**OPTIONS AND RECOMMENDED OPTION (with reasons):**

The order may be confirmed to secure its permanent status or allowed to lapse after its provisional six month period. It is recommended that the order is confirmed to maintain the Authority's policy under the LA21 strategy.

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**IMPLICATIONS -**

**Financial Implications and  
Risk Considerations**

**Corporate Aims/Policy Framework:**

Do the proposals accord with the Policy Framework? Yes

Are there any legal implications? Yes

**Considered by Monitoring Officer:**

**Statement by Director of Finance  
and E-Government:** No financial implications

**Staffing/ICT/Property:**

Staff time will be required to administer the order and respond to applications for consent to carry out work on the trees

**Wards Affected:**

Redvales

**Scrutiny Interest:**

N/A

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**TRACKING/PROCESS****DIRECTOR:**

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
Scrutiny Panel	Executive	Committee	Council

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**1.0 BACKGROUND**

- 1.1 On the 10 August 2004 the Council made the Metropolitan Borough of Bury (350 to 354A Manchester Road) Tree Preservation Order 2004 under Section 201 of the Town and Country Planning Act. This requires the Order to be confirmed within six months to assure permanence.
- 1.2 The Tree Preservation Order was initiated in response to increased pressure for future development.

**2.0 ISSUES**

- 2.1 An objection to the making of the order has been lodged by Mr Jones of Southview, 354A Manchester Road, Bury, BL9 9NR.
- 2.2 Mr Jones raised concerns that many of the trees detailed as being included on the Tree Preservation Order require varying degrees of pruning, and in at least three circumstances should not be placed on the Order due to these examples restricting growth to other trees.
- 2.3 Mr Jones also raised concern that in certain cases individual trees may become unsafe due to roots being disturbed through construction work to nearby buildings.
- 2.4 The imposition of a tree preservation order does not prevent, necessary maintenance work being carried out to the tree. However, it will ensure any such work is carried out with the Council's prior consent and to acceptable arboriculture standards.  
In circumstances where trees become unsafe and pose a danger work can be undertaken without an application.
- 2.5 The emphasis on placing trees under protection is to prevent future construction work causing damage to existing trees of high amenity value. To this end existence of the tree preservation order will help to ensure consent is not given for development that is likely to be within the trees root zone, and render them unsafe.

### **3.0 CONCLUSION**

- 3.1 The Preservation Order was initiated in response to a legitimate concern for the future of the trees that provide an amenity value, and which could be put at risk from future development. It is recommended therefore that the Preservation Order is confirmed to give permanent status.

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#### **List of Background Papers:-**

Letter from Mr Jones, Southview, 354A Manchester Road, Bury.  
Tree Preservation Order 350 TO 354A Manchester Road, Bury. File Ref.TP274

#### **Contact Details:-**

For further information on the contents of this report please contact:  
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