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<b>REPORT TO:</b>	<b>DEVELOPMENT CONTROL COMMITTEE</b>	<b>AGENDA ITEM: 4</b>
<b>DATE OF MEETING:</b>	<b>19 JANUARY 2010</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>RICHARD RODGERS X5744</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>TREE PRESERVATION ORDER 317</b>	<b>REF:</b>
<b>WARD AFFECTED:</b>	<b>MIDWAY</b>	<b>TERMS OF REFERENCE: DC01</b>

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## **1.0 Recommendations**

- 1.1 That this Tree Preservation Order be confirmed.

## **2.0 Purpose of Report**

- 2.1 To consider confirmation of this Tree Preservation Order.

## **3.0 Detail**

- 3.1 This Tree Preservation Order was made on 22 October 2009 in respect of 1 Sycamore tree at No.26 Birch Avenue, Newhall.

The Order was made for the following reasons:

'The tree is of good wildlife amenity value and is within the National Forest. In view of its value and potential threat from felling, it is considered expedient that a Tree Preservation Order is made'

- 3.2 The TPO was made at the request of the Area Planning Officer following a neighbour enquiry in regards to pruning/felling the tree.

- 3.3 Comments have been received from the owner/occupier of No. 37 Laburnum Road Newhall, Swadlincote stating:

- The tree sheds propeller like buds all over their windows, garden area and garden furniture. Due to the occupier being registered disabled it is becoming difficult to keep these areas tidy.
- The tree is less than 40 years old and was planted after the building of the bungalow (No 26 Birch Avenue) by the present occupiers children.

3.4 In answer to the comments made officers have the following comments:

- To fell trees because they drop seeds and leaves would form the blueprint for a desolate environment. The dropping of 'spinning fruit' is seasonal - autumn months only.
- The tree is young and healthy. It is within the National Forest boundaries and helps fix carbon dioxide and makes oxygen. It also has amenity value and wildlife amenity value due to there being a shortfall of good trees in this immediate area. This tree supports a good variety of insects and garden birds.
- The tree owner has historic attachment to the tree as it was planted by their children

#### **4.0 Planning Assessment**

4.1 It is expedient in the interests of amenity to make this tree subject to a tree preservation order.

#### **5.0 Conclusions**

5.1 It is expedient in the interests of amenity to preserve.

#### **6.0 Financial Implications**

6.1 None.

#### **7.0 Corporate Implications**

7.1 None.

#### **8.0 Community Implications**

8.1 None.

#### **9.0 Background Papers**

9.1 22 October 2009 Tree Preservation Order.

9.2 11 November 2009 letter from occupier of No.37 Laburnum Road, Newhall, Swadlincote