
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	31 May 2005	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	NICKY TOON	DOC:
SUBJECT:	TREE PRESERVATION ORDER 233 Hill Farm Cottage, Bretby Lane, Newton Solney	REF:
WARD AFFECTED:	REPTON	TERMS OF REFERENCE:

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 2 December 2004 in respect of an Ash Tree located at Hill Farm Cottage, Bretby Lane, Newton Solney.

The Order was made for the following reason:

'This young and healthy roadside ash tree is highly visible and provides a valuable focus in this village edge rural location which is within the Newton Solney Conservation Area. An application has been submitted for the felling of the ash tree and in view of its amenity value South Derbyshire considers it expedient that this Order is made.'

3.2 Comments have been received from the occupier of Hill Farm Cottage regarding:

- the unsuitable location of a tree of this type adjacent to the road and being in close proximity to the house;
- potential interference with a nearby power line and subsequent need for continual pruning;
- the future proportions of the tree and potential for blocking light to the house;
- the heavily restricted root architecture of the tree and possible effect on the tree's well-being and stability and damage to bank.

The occupier of Hill Farm Cottage has confirmed that they would be willing to replace the tree with an alternative specimen.

3.4 In answer to the comments made the Council's landscape architect has the following comments:

- The tree can be accommodated in the roadside hedge. There are many other trees in this roadside hedge including mature Ash trees.
- The power line can be accommodated by minor pruning to the tree reaching these high lines.
- The roots of this semi-mature tree appear to be stable and will pass beneath the road hardsurfacing.
- The tree and cottage integrate well with the country lane landscape.

4.0 Planning Assessment

4.1 It is expedient in the interests of amenity to make this tree the subject of a Tree Preservation Order. This roadside tree is highly visible when entering the village and provides a valuable focus in this location.

Applications to do works to the trees would be considered by the Authority in the interests of ensuring the tree's amenity value to the area is not diminished. Dead, dying or dangerous trees within the TPO are exempt from such control provided replacement trees are planted.

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 Implications

9.1 02 December 2004 Tree Preservation Order

9.2 23 April 2005 letter of objection