

<b>REPORT TO:</b>	<b>PLANNING COMMITTEE</b>	<b>AGENDA ITEM: 9</b>
<b>DATE OF MEETING:</b>	<b>16<sup>th</sup> OCTOBER 2018</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>STRATEGIC DIRECTOR (SERVICE DELIVERY)</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>RICHARD RODGERS (01283) 595744</b> <a href="mailto:RICHARD.RODGERS@SOUTH-DERBYS.GOV.UK">RICHARD.RODGERS@SOUTH-DERBYS.GOV.UK</a>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>PROPOSED TREE PRESERVATION ORDER 493 – LAND AT DOLES LANE, FINDERN</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>WILLINGTON AND FINDERN</b>	<b>TERMS OF REFERENCE:</b>

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## **1.0 Recommendations**

1.1 That this tree preservation order should be confirmed.

## **2.0 Purpose of Report**

2.1 To consider confirmation of this tree preservation order (TPO).

## **3.0 Detail**

3.1 This tree preservation order was made on 3<sup>rd</sup> May 2018 in respect of 2 individual trees situated on the eastern boundary of land proposed for housing – see application 9/2018/0290. The trees are a sycamore and a walnut.

3.2 The TPO was made at the request of the Principal Planning Officer. The sycamore has a high level of amenity with public views from Barn Close. The walnut is in good condition; its visual offer significantly increased should the site be developed.

3.3 One letter of objection has been received, through consultation, stating:

- Tree Protection Orders should only be used to protect selected trees if their removal would have a significant negative impact on the local environment and its enjoyment by the public;
- The trees are not within the ownership of the applicant;
- The trees are not visible from public places;
- The trees are not categorised as trees of high quality;
- The trees have limited future amenity potential;
- The trees are not rare and have no cultural or historic value;
- The trees offer no bat roosting potential.

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

- The sycamore tree (being some 18m tall) is visible from the public realm, whilst the walnut tree will become wholly more prominent should the site be developed (as is being applied for), both would contribute to the evolving setting, ensuring some mature landscaping is retained.
- The roots of the trees extend into the development site; protecting them at the very least should prevent damage through any future construction. Were they to become damaged their safe retention could be compromised, added to the fact they belong to an adjacent land owner (residential property).
- The trees have been inspected at close quarters by the Council's tree officer and found to warrant protection, the trees seen to be healthy and of a level of amenity, to justify protection. He adds the walnut will make for an interesting feature on the proposed development whilst the sycamore is worthy of a TPO even if the development did not go ahead.
- The trees owner has been in contact with the Council and offers no objection to the preservation order.
- Protecting trees of value accords with the Corporate Plan theme of Sustainable Development having environmental, ecological and wildlife benefits.

#### **4.0 Planning Assessment**

4.1 It is expedient in the interests of amenity to make the trees the subject of a tree preservation order in accordance with advice set out in the Governments PPG document.

#### **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 Protecting visually important trees contributes towards the Corporate Plan theme of Sustainable Development.

#### **8.0 Community Implications**

8.1 Trees that are protected for their good visual amenity value enhance the environment and character of an area and therefore are of community benefit for existing and future residents helping to achieve the vision for the Vibrant Communities theme of the Sustainable Community Strategy.

#### **9.0 Background Information**

- a. 3 May 2018 Tree Preservation Order.
- b. Letter of Objection.