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<b>REPORT TO:</b>	<b>PLANNING COMMITTEE</b>	<b>AGENDA ITEM: 5</b>
<b>DATE OF MEETING:</b>	<b>5 March 2013</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF OPERATIONS</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>Tony Sylvester (ext. 5743)</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>TREE PRESERVATION ORDER 367 (as modified)</b>	<b>REF:</b>
<b>WARD AFFECTED:</b>	<b>CHURCH GRESLEY</b>	<b>TERMS OF REFERENCE: DC01</b>

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## **1.0 Recommendations**

1.1 That this modified tree preservation order be confirmed.

## **2.0 Purpose of Report**

2.1 To consider confirmation of a modified version of the tree preservation order (TPO).

## **3.0 Detail**

3.1 This provisional tree preservation order was made on 18 October 2012 in respect of a woodland of numerous trees of mainly Ash and Oak species on land at the junction of Cadley Hill Road and Swadlincote Lane, Church Gresley.

3.2 The TPO was made at the request of the Area planning Officer following consultation with the Tree Officer following the receipt of a preliminary enquiry to develop the site of The Woodlands, Cadley Hill Road. The trees are generally in good condition and seen to have a high degree of amenity value due to their prominent location bounding a main junction. The trees contribute substantially to the character of the street scene.

3.3 Members will recall referring a decision on this matter at the meeting of 22 January 2013 to enable the members to visit the site. However, since then the applicant and his arboricultural consultant has met with the Council's tree officer and a detailed agreement reached as to which trees should be included in the order and the type of order most appropriate. Whilst the landowner objected to the order which was reported in detail at the last committee, a modification which effectively converts the woodland into a more specific order of individual specimens and groups has now been agreed and negates the objection. It is assumed therefore that a site visit is no longer necessary.

#### **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.

#### **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**

9.1 18 Oct 2012 Tree Preservation Order

9.2 3 Dec 2012 – Objection Letter from Fisher German

9.3 Revised survey & further letter from agent (TBC)