
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	29 th July 2003	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	R M Shirley (595750)	DOC:
SUBJECT:	Unauthorised removal of tree protected by SDDC Tree Preservation Order No, 132 at the former Pastures Hospital, Mickleover(Parish of Burnaston) (now within curtilage of 34, Sandpiper Lane)	REF: RMS/E2003/87
WARD(S) AFFECTED:	Etwall	TERMS OF REFERENCE: DC01

1.0 Reason for Exempt (if appropriate)

1.1 Not applicable

2.0 Recommendations

2.1 That the Development Control Committee take no formal action in the matter but authorises the site to be appropriately monitored to ensure that the replacement tree is planted.

3.0 Purpose of Report

3.1 To obtain the Committee's instructions.

4.0 Executive Summary

4.1 Not applicable

5.0 Detail

5.1 Following a complaint, a site inspection was carried out at the above location which now forms part of the curtilage of a detached dwelling known as 34 Sandpiper Lane.

5.2 It was ascertained that a fir tree situated within a group of similar trees and protected by SDDC Tree Preservation Order No. 132 had been felled.

5.3 The site was subsequently visited by the Council's retained Landscape Architect and Arboriculturalist who formed the opinion that provided a suitable replacement tree was planted, the removal of the original has caused little loss of amenity.

- 5.4 The owner of the property has been contacted and has agreed to plant a Himalayan Cedar (*Cedrus Deodora*) of a height not less than one metre and transplanted from a ten litre pot during the coming planting season which commences on 1st November 2003.
- 5.5 Plans of the site and of the relevant area of the Tree Preservation Order are attached at Annexe A.

6.0 Financial Implications

- 6.1 None

7.0 Corporate Implications

- 7.1 None

8.0 Community Implications

- 8.1 None

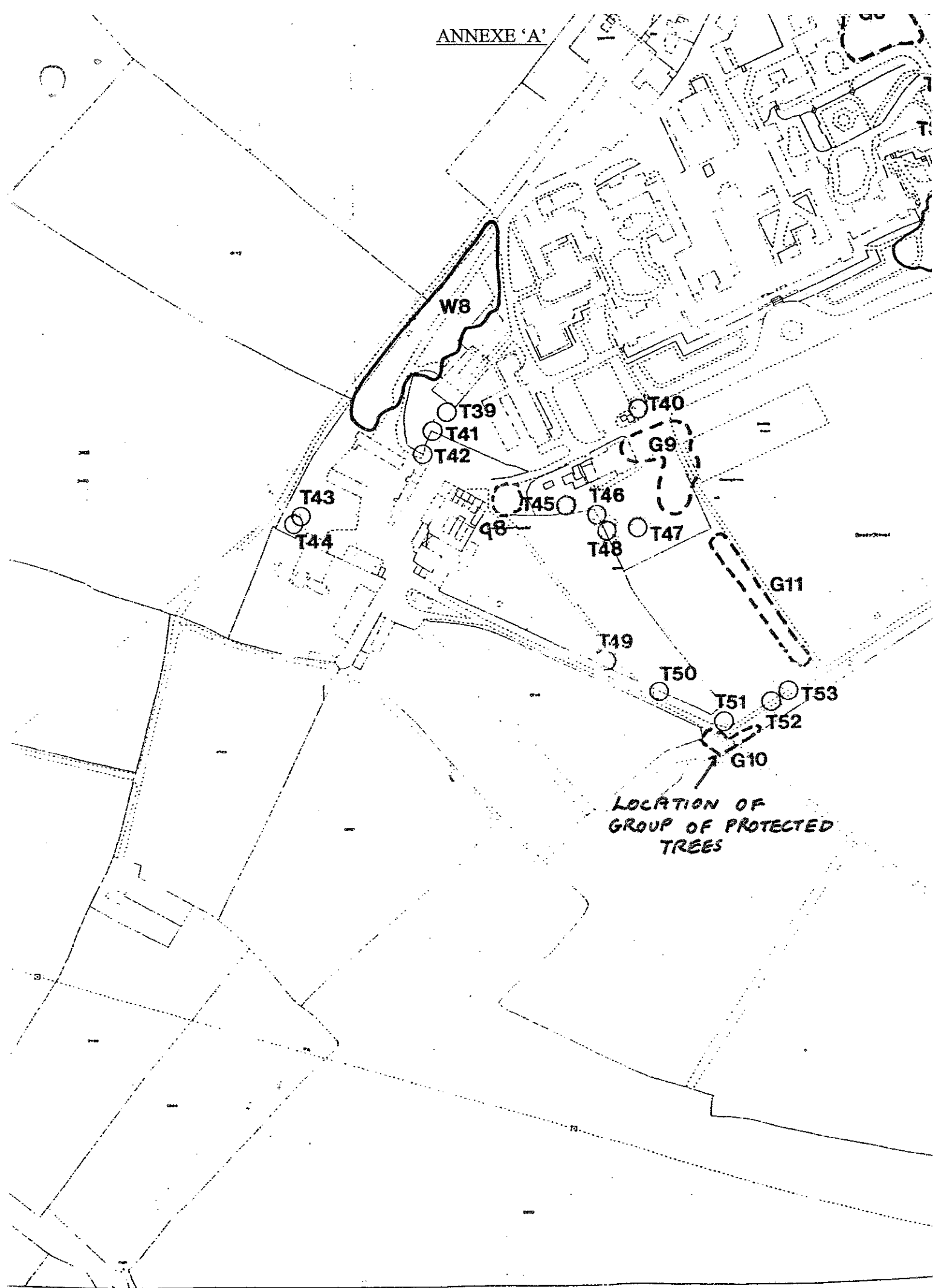
9.0 Conclusions

- 9.1 In the light of the views of the Landscape Architect and Arboriculturalist and the undertaking given by the owner of the property to plant a suitable replacement tree a prosecution would be inappropriate. However, monitoring of the site to ensure that the necessary replacement tree is planted is viewed as suitable in the circumstances.

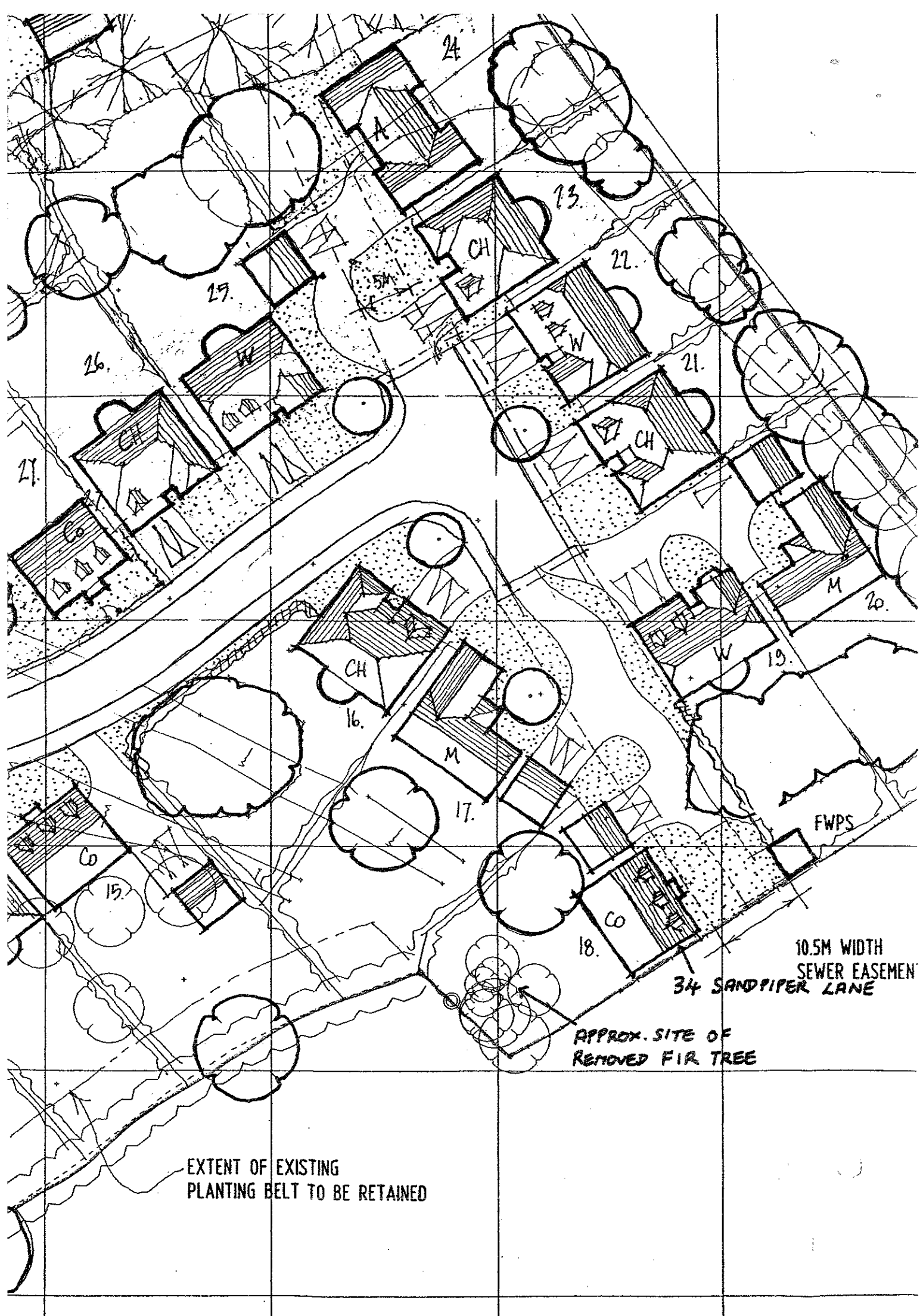
10.0 Background Papers

- 10.1 Enforcement File E2003/87

ANNEXE 'A'



LOCATION OF
GROUP OF PROTECTED
TREES



EXTENT OF EXISTING
PLANTING BELT TO BE RETAINED

10.5M WIDTH
SEWER EASEMENT
34 SANDPIPER LANE

APPROX. SITE OF
REMOVED FIR TREE