
REPORT TO:	PLANNING COMMITTEE	AGENDA ITEM: 4
DATE OF MEETING:	26 June 2012	CATEGORY: DELEGATED
REPORT FROM:	DIRECTOR OF OPERATIONS	OPEN
MEMBERS' CONTACT POINT:	Kim Doran-Parkes (ext. 5982)	DOC:
SUBJECT:	TREE PRESERVATION ORDER 357	REF:
WARD AFFECTED:	REPTON	TERMS OF REFERENCE: PL01

1.0 Recommendations

1.1 That, further to this update, this Tree Preservation Order not be confirmed.

2.0 Purpose of Report

2.1 To consider not confirming this Tree Preservation Order (TPO).

3.0 Detail

3.1 This provisional TPO was made on 15 March 2012 in respect of a group consisting of 1 x Beech tree, 12 x Birch trees, 1 x Maple tree and 2 x Sycamore trees, all located in the garden space of 2 Melbourne Lane, Ticknall.

3.2 Members will recall this case being considered with objections from the occupier supported by the findings of her consultant structural engineer at its meeting on 8 May 2012 (copy of previous report attached). Subject to a verbal update from the Council's structural engineering consultant given at the meeting which came to a contrary view, Members resolved to confirm the Order subject to amendments mainly involving the thinning of the line of birch trees on the site frontage.

3.3 However, a subsequent meeting of the engineers from both sides has resulted in a consensus that all of the birches be removed to avoid any danger of structural damage in the future.

3.4 As such, the Council's Tree Officer advises that without the birches, the remainder of the trees in the Order are not of sufficient quality to warrant an order on their own merit.

4.0 Planning Assessment

4.1 It is therefore no longer justified to confirm the Order.

5.0 Conclusions

- 5.1 Given the subsequent findings of two professional consultants, the confirmation of the Tree Preservation Order cannot be justified as necessary and the occupier of the property should not have her right to fell trees on the site withheld.

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 Notice Application 9/2012/0024
9.2 Supporting documents