
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	12 DECEMBER 2006	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	KIM PARKES	DOC:
SUBJECT:	TREE PRESERVATION ORDER 264 LAND AT JACKSONS LANE, ETWALL	REF:
WARD AFFECTED:	ETWALL	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 19th June 2006 in respect of an Area Preservation Order.

The Order was made for the following reasons:

'This woodland shelterbelt is a local amenity and landscape feature worthy of preservation. The trees are a prominent feature clearly visible from public vantage points.'

3.2 The TPO was made at the request of Tim Dening, Area Planning Officer.

3.3 Comments have been received from the occupiers of 1, 2, 3, 4 & 5 Broomhill Cottages stating that they purchased the land between them in order to preserve it and ensure that it is not developed. It is felt that the preservation order will restrict them greatly and it is also stated that they would not have paid as much for the land if it were restricted in such a way. They also feel that some of the trees within the Area order are not worthy of preservation.

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

- An application to fell or prune the trees would be considered on their own merits.
- If the owners of the land wish to indicate a dead, dying or dangerous tree this can be raised with the Planning Department for consideration.

4.0 Planning Assessment

- 4.1 It is expedient in the interests of amenity to make this group of trees subject of a Tree Preservation Order. The trees are highly visible from public vantage points. 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.

The order was placed on the trees to gain control over them. It would have been impractical to do an individual order due to the large number of trees present therefore it is possible that there are trees within it that the owners feel are not worthy of preservation. Issues over individual trees (if in a dead, dying or dangerous condition) can be put to the Authority and an appropriate course of action can be considered.

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 19th June 2006 Tree Preservation Order
9.2 29 September 2006 letter from occupiers 1, 2, 3, 4 & 5 Broomhills Cottages, Jacksons Lane, Etwall.