
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	4 MARCH 2008	CATEGORY: DELEGATED
REPORT FROM:	DIRECTOR OF COMMUNITY SERVICES	OPEN
MEMBERS' CONTACT POINT:	KIM PARKES	DOC:
SUBJECT:	TREE PRESERVATION ORDER 292- THE OLD MILL, MILL LANE, HILTON	REF: TPO 292
WARD AFFECTED:	HILTON	TERMS OF REFERENCE:DC01

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 12th October 2007 in respect of three lime trees.

The Order was made for the following reason:

'The trees are important being visible from a number of neighbouring properties. Whilst it is acknowledged that the trees have been the subject of recent tree work, they have the prospect of good growth and hence a good amenity to the area. The authority is aware that the land is soon to be the subject of a planning application and the retention of the trees can only be secured through the imposition of the order. South Derbyshire District Council considers it expedient that this order is made to retain the trees as an amenity feature within the site.'

- 3.2 Comments have been received from the occupiers of The Mill, Mill Lane, Hilton indicating that they believe that the trees are not highly visible from public vantage points and that the proposed dwellings will screen their visibility further. It is also the view of the owners that the trees are leaning and therefore it is being questioned as to whether they should be protected. The objectors also noted that indication was not given on site that the trees were worthy of preservation. The letter of objection also noted that the tree specialist stated that 'crack willows are weeds'.
- 3.3 In answer to the comments made the Council's consultant landscape architect has the following comment:

- The trees are partly visible from the new public road and also from adjacent houses and will be even more prominent in the winter after leaf fall. The trees have been lopped/pollarded but will vigorously recover and grow within a few short years and therefore be increasingly visible as a protected tree group. Therefore the trees do provide local amenity value.
- The trees have not had their root systems severed and where they have started to lean, additional supportive roots have developed in order to stabilise the trees.
- When attending site meetings a certain level of discretion by officers is often required in order to retain important trees. If owners are made aware of the potential for protection, valuable trees could be lost.

4.0 Planning Assessment

- 4.1 It is expedient in the interests of amenity to make these trees the subject of a Tree Preservation Order as they are within an area that is being considered for planning permission to develop the land in close proximity to the trees.

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 Tree Preservation Order 292
9.2 5th November 2007.