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<b>REPORT TO:</b>	<b>DEVELOPMENT CONTROL COMMITTEE</b>	<b>AGENDA ITEM: 5</b>
<b>DATE OF MEETING:</b>	<b>29 JULY 2008</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>KIM DORAN-PARKES</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>TREE PRESERVATION ORDER 302</b>	<b>REF:</b>
<b>WARD AFFECTED:</b>	<b>SWADLINCOTE</b>	<b>TERMS OF REFERENCE:DC01</b>

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## **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 12<sup>th</sup> February 2008 in respect of one holly tree.

The Order was made for the following reasons:

'The tree makes a valuable contribution to the visual amenity of the area, being visible from several adjacent properties and public rights of way and is excellent screening for the unsightly substation in close proximity. A planning application has been submitted to fell the Holly and the Council therefore considers that the making of the order is necessary to protect the high public amenity value of the tree.'

3.2 The TPO was made as a result of the submission of a tree notification to fell a holly tree and a norway spruce tree at this site.

3.3 Comments have been received from an agent of the land owner, stating that:

- The pine & holly are too close to the party wall. The holly is also too close to the roadway.
- The tree obstructs entry to parking.
- The tree will not block the sub station.

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

- The tree, which is named as 'pine' in the aforementioned letter, is actually a norway spruce and is not protected as part of this order as it is too vigorous and large for its location.
- The holly tree is a low vigour, slow growing tree and is therefore not a danger to the wall and it is still felt that this tree obscures views of the unsightly sub station and has high amenity value.
- Branches can be removed through free tree applications, subject to satisfactory works being proposed.
- The tree officer has himself parked in this carpark and has experienced no great difficulty with the holly tree. Should works of maintenance be required a free tree application should be submitted to this council.

#### **4.0 Planning Assessment**

4.1 It is expedient in the interests of amenity to make this tree subject to 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 Corporate Plan Theme – You at the Centre, Improving the quality of the local environment.

#### **8.0 Community Implications**

8.1 Protection of the tree will preserve the amenity of the area for the benefit of the community.

#### **9.0 Background Implications**

9.1 12 February 2008 Tree Preservation Order.

9.2 6 March 2008 letter from Davenport & Son Limited.