

**REGENERATION & COMMUNITY  
DIRECTORATE**

**Development Services**

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TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION FOR WORKS TO TREES PROTECTED BY A TREE PRESERVATION ORDER**

**CROWN REDUCTION TO POPLAR TREE TO REDUCE HEIGHT TO 11 METRES AND  
THE SPREAD TO 6 METRES**

**at 8 MANORLEIGH, BREASTON, DERBYSHIRE, DE72 3UJ FOR MR S YOUNG**

**TREE/0210/1126 submitted on 1 February 2010**

Erewash Borough Council having considered an application for the above works hereby in pursuance of their powers under the above-mentioned Act

**GRANT CONSENT**

in accordance with the application, subject to compliance with the following conditions:-

- 1 The work authorised shall be carried out within 2 years of the date of this consent unless the Local Planning Authority has agreed a written variation.

Reason

Beyond that period the health and visual appearance of the tree would need to be reassessed.

- 2 The tree works hereby approved shall be carried out in accordance with BS 3998 (Recommendations for Tree Work 1989).

Reason

In the interests of the health and visual appearance of the trees.

Date 2 March 2010

Signed \_\_\_\_\_  
Acting Development Manager (Job Share)

ATTENTION IS CALLED TO THE NOTES OVERLEAF

### **Notes to Applicant**

Your attention is drawn to the rights of Appeal set out on the attached sheet.

This consent applies only to the works described above. Works carried out which do not accord with those specified may render the person responsible liable to prosecution.

If the tree(s) overhang or straddle land in different ownerships you are advised to discuss your proposals with other owners of the tree, and for the avoidance of doubt, this consent does not give you any right to go onto your neighbours land in order to carry out the work.

Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should birds be nesting in the trees concerned it is recommended that felling/surgery should be carried out between September and January for further advice contact Nottinghamshire Wildlife Trust on 0115 9588248. If bats are present you should contact English Nature on 01476 568431.

### **RIGHTS OF APPEAL**

If the applicant is aggrieved by the decision of the Borough Council to impose conditions on the grant of consent, then he or she may appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 within twenty eight days of receiving this notice.

Appeal forms can be obtained from The Environment Appeals Team, The Planning Inspectorate, Trees and Hedges, Room 4/04 Kite Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN, telephone 0117 372 6382 or 8812, e mail: [environment.appeals@pins.gsi.gov.uk](mailto:environment.appeals@pins.gsi.gov.uk)

# TREE APPLICATION ASSESSMENT FORM

## **TREE/0210/1126**

### **ADDRESS:**

8 Manorleigh  
Breaston  
Derbyshire

### **DESCRIPTION**

CROWN REDUCTION TO POPLAR TREE TO REDUCE HEIGHT TO 11 METRES AND THE SPREAD TO 6 METRES

### **SITE AND SURROUNDINGS**

The application site is flat and comprises part of the rear garden of No.8 Manorleigh. The site is located on the east of the street adjacent to the turning head of the cul-de-sac, with the dwellinghouse being located towards the front of the plot and comprising a detached property with areas of hard standing and garden. There are a number of trees within the immediate vicinity which are also subject to a Tree Preservation Order (TPO).

### **APPLICATION DETAILS**

Permission is sought to undertake a crown reduction to a poplar tree to reduce its height to 11 metres and its spread to 6 metres. The tree is subject to a Tree Preservation Order (reference: T2 of DC5-51) and is located in the rear garden area to the east of the dwellinghouse adjacent to the boundary with the neighbouring property at No.9 Manorleigh and an area of open space serving the properties to the rear of the site on Cherry Close.

### **CONSULTATIONS**

Tree Consultant (Derby City Council, Arboricultural Manager) – "No objection to the proposed works which I would consider necessary to maintain the tree in a safe condition due to the previous reduction".

### **REPRESENTATIONS**

Site notice displayed. Advertised on the Planning weekly list. No representations have been received.

### **CONSIDERATIONS**

In response to the application for works to the protected tree, the Borough Council's Tree Consultant raised no objections to the proposed works as these are considered necessary to maintain the tree in a safe condition due to the previous reduction.

Accordingly the application to carry out the works, subject to the standard conditions, is approved.

### **RECOMMENDATION**

APPROVE

## CONDITIONS & REASONS

1. Standard **time** condition
2. Standard **BS** condition

Officer: Victoria Andrew  
Signed:

Date: 26 February 2010

Checked By:

Date: