

**RESOURCES DIRECTORATE  
PLANNING & REGENERATION**

**Donna Savage BSc (Hons) P.G. Dip MRTPI  
Interim Head of Planning**

Town Hall Long Eaton  
Derbyshire NG10 1HU  
Switchboard: 0845 907 2244  
Fax: 0115 907 2343  
☎ Minicom: 0115 931 6056  
E Mail: [planning@erewash.gov.uk](mailto:planning@erewash.gov.uk)

Tom Richards Tree Services  
3 New Street  
Stanley  
Derbyshire  
DE7 6FD

TOWN AND COUNTRY PLANNING ACT 1990

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

**APPLICATION TO FELL APPLE TREE AND TWO ASH TREES AND CARRY OUT  
WORKS TO ASH TREE INCLUDING CROWN LIFT TO 4M**

**at THE CEDARS, MANSFIELD ROAD, BREADSALL, DERBYSHIRE, DE21 4FY FOR MR  
PHIL MISHOW**

**TREE/0510/1143 submitted on 21 May 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 14 June 2010

Signed \_\_\_\_\_  
Interim Head of Planning

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/0510/1143**

**ADDRESS:**

The Cedars  
Mansfield Road  
Breadsall  
Derbyshire

**DESCRIPTION**

APPLICATION TO FELL APPLE TREE AND TWO ASH TREES AND CARRY OUT WORKS TO ASH TREE INCLUDING CROWN LIFT TO 4M

**SITE AND SURROUNDINGS**

The Cedars is a large property set within its own grounds behind an approximately 2 metre (m) wall. The area is the subject of an Area Tree preservation Order (TPO) number 186.

**APPLICATION DETAILS**

Consent is sought to fell two Ash trees (T2 and T3) and carry out crown lift works to 4m on another Ash tree (T4) and to fell an apple tree (T1).

**CONSULTATIONS**

Arboriculture Adviser - No objections to the proposed works.

**REPRESENTATIONS**

Site notice posted. No responses received.

**CONSIDERATIONS**

The Council's arboricultural adviser raises no objections to the works and advises that:

'I have no objections as the trees are not subject to the current protection in Area 2 of TPO186. I would not recommend protection by a TPO as their removal would not be detrimental to the visual amenity of the group due to limited visibility to the public.'

Whilst there is an Area TPO in place it would not be possible to confirm that the trees that are the subject of this application were in place at the time the Area TPO was made. Furthermore the trees do not have a high public amenity value due to their location within the grounds of the Cedars which are not visible from any public viewpoint.

On this basis it is considered that the proposed works to the trees are acceptable and no other comments have been received which would warrant a decision contrary to the arboricultural advice. No replacement planting has been requested in this instance.

**RECOMMENDATION**

APPROVE

## **CONDITIONS & REASONS**

1. Standard tree conditions and reasons.

Officer: Valerie Glew  
Signed:

Date: 14 June 2010  
Checked By:  
Date: