

**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

Mr Peter Woods
57 Risley Lane
Breaston
Derbyshire
DE72 3AU

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION FOR WORKS TO TREES PROTECTED BY A TREE PRESERVATION ORDER

**APPLICATION TO FELL ONE WILLOW TREE IN CONSERVATION AREA AND CROWN
LIFT ONE PROTECTED WELLINGTONIA TREE (TPO DC5-347, T1) BY 2.5 METRES**

at 57 RISLEY LANE, BREASTON, DERBYSHIRE, DE72 3AU FOR MR PETER WOODS

TREE/0510/1145 submitted on 24 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 crown lifting to the Wellingtonia tree shall be limited to a maximum of 2.5 metres in accordance with the submitted details which were received by the Local Planning Authority on the 24 May 2010.

Reason

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

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

Continued

TREE/0510/1145 Continued Page 2 of 2

Reason

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

Date 1 July 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

TREE APPLICATION ASSESSMENT FORM

TREE/0510/1145

ADDRESS:

57 Risley Lane
Breaston
Derbyshire

DESCRIPTION

APPLICATION TO FELL ONE WILLOW TREE IN CONSERVATION AREA AND CROWN LIFT ONE PROTECTED WELLINGTONIA TREE (TPO DC5-347, T1) BY 2.5 METRES

SITE AND SURROUNDINGS

The site of where the trees are located is the front garden of a residential property. The trees are located to towards the eastern boundary wall of the front garden. The dwelling and it's garden is located in the Breaston Conservation Area and the Wellingtonia Tree is protected with a Tree Preservation Order.

APPLICATION DETAILS

The applicant has applied for consent to carry out the following works to the trees:-

- 1) To fell one Willow tree due to it growing in between 2 trees which are protected with a Tree Preservation Order and concern is raised at the impact of the Willow tree on the health and vitality of the other trees.
- 2) To lift the crown of the protected Wellingtonia tree so that cars and the residents can move around it without causing damage to the tree or to the cars. The applicant has proposed to lift the crown by 2.5m.

CONSULTATIONS

Derby City Council (Council's Arboriculturist) no objections to the felling of the Willow tree and no objection to the proposed lifting of the crown of the protected Wellingtonia tree to a maximum of 2.5 to 3 metres.

REPRESENTATIONS

Site Notice posted on the 16th June 2010 - No objections received.

CONSIDERATIONS

The main consideration in this instance is the impact of the felling of one Willow tree and the proposed crown lifting to the Wellingtonia. With regard to the response received from the Council's Arboriculturist, it is considered that the felling of the Willow tree is acceptable as the tree was not considered to be of such value to the residential amenity as to be protected with a Tree Preservation Order.

The proposed crown lifting of the Wellingtonia tree which is protected with a Tree Preservation order is acceptable subject to the crown lifting being limited to 2.5 to 3 metres.

RECOMMENDATION

APPROVE

CONDITIONS & REASONS

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 crown lifting to the Wellingtonia tree shall be limited to a maximum of 2.5 metres in accordance with the submitted details which were received by the Local Planning Authority on the 24 May 2010.

Reason:

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

3) 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.

Officer: Kenny Dhillon
Signed:
Date: 1st July 2010

Checked By:
Date: