

**DEVELOPMENT & REGULATORY
DIRECTORATE**

Development Services

**Ian McHugh DipTP, MRTPI
Development Manager**

Mr M A Smith
4 Belfield Gardens
Long Eaton
Derbyshire
NG10 1HB

Town Hall Long Eaton
Derbyshire NG10 1HU
Switchboard: 0115 907 2244
Fax: 0115 907 2267
☎ Minicom: 0115 931 6056
Website: www.erewash.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION FOR WORKS TO TREES PROTECTED BY A TREE PRESERVATION ORDER

POLLARDING TO 4 TREES

at 27 PLANT LANE, SAWLEY, DERBYSHIRE, NG10 3BJ FOR MR M A SMITH

TREE/0908/1038 submitted on 5th September 2008

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

To ensure the works are carried out to the satisfaction of the Borough Council. In accordance with the aims of Policy E14 of the Erewash Borough Saved Policies Document.

- 3 *The works proposed shall form the basis of a management programme and no applications to remove the trees due to diminished visual amenity would be acceptable.*

Reason

In the interests of visual amenity.

Date 27th October 2008

Signed _____
Development Manager

ATTENTION IS CALLED TO THE NOTES OVERLEAF

Notes to Applicant

Your attention is drawn to the rights of Appeal set out below.

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

DELEGATED REPORT FOR TPO APPLICATIONS

TREE/0908/1038

ADDRESS:

27 Plant Lane
Sawley

DESCRIPTION

Pollarding to 4 trees

SITE AND SURROUNDINGS

The application site is a detached two storey dwelling which is set back from the highway. The trees in question are on Plant Lane frontage.

APPLICATION DETAILS

The application is to pollard 4 Lime trees which currently overhang the public footway.

CONSULTATIONS

Tree Consultant – Acceptable to manage them by pollarding but consent should be part of a management programme and no applications to remove the trees due to diminished visual amenity would be acceptable. Future amenity value is still a consideration.

REPRESENTATIONS

Site notice posted. No representations received

CONSIDERATIONS

The trees in question, whilst not in a latter state of maturity, are of significant amenity value to the street scene. Pollarding is considered to be an acceptable method of management but it is important to note that the works proposed should be part of a management programme and no applications to remove the trees due to diminished visual amenity would be acceptable as it is only a temporary situation and the future amenity value is still a consideration. As such the proposal is considered to be acceptable subject to this condition.

RECOMMENDATION

APPROVE

CONDITIONS

1. Standard condition requiring works to be undertaken to BS3998
2. The works proposed shall form the basis of a management programme and no applications to remove the trees due to diminished visual amenity would be acceptable.

REASONS

1. To ensure the works are carried out to the satisfaction of the Borough Council. In accordance with the aims of Policy E14 of the Erewash Borough Saved Policies Document.
2. In the interests of visual amenity.

Officer: Chris MacArthur
Signed:
Date: 21/10/2008

Checked By:
Date: