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REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM:	7
DATE OF MEETING:	25 APRIL 2006	CATEGORY:	DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN	
MEMBERS' CONTACT POINT:	KIM PARKES	DOC:	
SUBJECT:	TREE PRESERVATION ORDER 254-LAND AT DARKLANDS ROAD, SWADLINCOTE	REF:	
WARD AFFECTED:	SWADLINCOTE	TERMS OF REFERENCE:	

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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 29<sup>th</sup> September 2005 in respect of seven London plane trees located along Darklands Road in Swadlincote.

The Order was made for the following reasons:

'The seven trees are within the National Forest and are of significant amenity value within the street scene'

3.2 The TPO was made at the request of the area Planning Officer Mary Gibson.

3.3 Comments have been received from the occupier of 93 Darklands Road indicating that the tree outside of his property (T2) has been involved in incidents with double decker buses. When vehicles hit the tree it moves and will cause serious danger to somewhere at some point. The occupier of 91 Darklands Road states that the tree is leaning and that it damages the pavement and has been struck by buses on three occasions. The occupier of 83 Darklands Road declared that the trees disturb the ground, cover the street lamps and obstruct buses from using the road.

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

- This does not detract from the amenity value of the tree and an application to prune the tree would be assessed on its merits.

#### **4.0 Planning Assessment**

4.1 It is expedient in the interests of amenity to make these trees the subject of a Tree Preservation Order. The trees are located along Darklands Road and are considered to have a good amenity value within the close. Applications to do works to the trees would be considered by the Authority in the interests of ensuring the tree's amenity value to the area is not diminished.

#### **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 None

#### **8.0 Community Implications**

8.1 None

#### **9.0 Background Implications**

9.1 29<sup>th</sup> September 2005

9.2 24<sup>th</sup> November 2005 letter from occupier of 93 Darklands Road.