

COMMITTEE: Planning and Licensing

DATE: 6 November 2001

SUBJECT: Tree Preservation Order – Land at Flint Halls 12 Church Street, Eastbourne Order No: 75

REPORT OF: Head of Planning and Legal Services Manager

Ward: Ocklynge

Purpose: This report seeks confirmation of a Tree Preservation Order.

Contact: Miss Terry Morris, Telephone 01323 415067 or internally on extension 5067

Recommendations : That The Eastbourne Borough Council Tree Preservation Order (Land at Flint Halls 12 Church Street, Eastbourne, East Sussex) No 75 (2001) be confirmed without modification

1. Introduction

- 1.1 On 27th June 2001 the Head of Planning exercised his delegated powers and authorised the making of a tree preservation order in respect of three trees on the above land. The trees are Wynch Elm, Common Lime and Sycamore.

The Head of Planning took this action because the trees are situated in the Old Town Conservation Area and make a significant contribution to the visual amenity of the area. The Council has received notification that works were to be carried out to the trees. Some of the works would have been extensive and would have had a sever effect on the visual amenity provided by the trees.

The Order was made on 29th June 2001.

- 1.2 The Order will continue in force until the expiration of a period of six months from the making of the Order or the date on which the Order is confirmed, whichever first occurs.

2. Confirmation Procedure

The Committee must now decide whether to confirm the Order. The Committee may:

- confirm an Order without modification or subject to such modification as it considers it expedient; or
- decline to confirm the Order, in which case it lapses.

Before making a decision the Committee must take into account any objections or representations made within the prescribed period.

3. Consultations

3.1 Copies of the Order and statutory notice have been served on the owners and occupiers of the land and adjoining land.

3.2 The following is a summary of the representations received:-

Representation

The Managing Agents of Flint Halls advise that in future they will liase with the Council before carrying out works to the trees

Officers Response

Consent is required from the Council for works to the trees.

Representation

The owner of 10 Church Street is concerned about overhanging branches from the trees.

Officers Response

Appropriate works can be approved by the Council.

4. Human Resources

There are none.

5. Environmental Implications

The confirmation of the Order will ensure the protection of the trees, which make a significant contribution to the visual amenity of the area.

6. Human Rights

Whilst the owners have the right to the peaceful enjoyment of their property, the Council have the right to make the Order to preserve and protect the visual amenity to which the trees make a significant contribution.

7. Financial Implications

There are none.

8. Youth and Anti-Poverty Implications

There are none.

9. Conclusion

The trees make a significant contribution to the visual amenity of the area. We therefore recommend that the Tree Preservation Order be confirmed without modification.

**TIM COOKSON
HEAD OF PLANNING**

**MARK REYNARD
LEGAL SERVICES MANAGER**

Background Papers:

The Background Papers used in compiling this report can be found on file PL/2/36