

COMMITTEE:	Planning and Licensing
DATE:	16 April 2002
SUBJECT:	Tree Preservation Order – Land at 9 Hartfield Road, Eastbourne
REPORT OF:	Head of Planning and Acting Head of Legal and Property Services
Ward:	Upperton
Purpose:	This report seeks confirmation of a Tree Preservation Order.
Contact:	Jenny Saunders, Telephone 01323 415040 or internally on extension 5040
Recommendations:	That The Eastbourne Borough Council Tree Preservation Order (Land at 9 Hartfield Road, Eastbourne, East Sussex) No. 78 (2002) be confirmed without modification

1.	<u>Introduction</u>
1.1	<p>On 2 January 2002 the Head of Planning exercised his delegated powers and authorised the making of a tree preservation order in respect of a tree on the above land. The tree is a Juglans regia (Walnut). A copy of the Order plan is attached.</p> <p>The Head of Planning took this action because the tree is under threat from development both at the rear and at the side, as a result of current planning applications. The tree is a good mature specimen with a reasonable life expectancy, and makes a valuable contribution to the visual amenities of the area, and is worthy of retention.</p> <p>The Order was made on 10 January 2002.</p>

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.	<u>Confirmation Procedure</u>
	<p>The Committee must now decide whether to confirm the Order. The Committee may:</p> <ul style="list-style-type: none"> · 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. <p>Before making a decision the Committee must take into account any objections or representations made within the prescribed period.</p>
3.	<u>Consultations</u>
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	<p>The following is a summary of the representations and objections received together with the response of officers.</p> <p>Representation</p> <p>A letter was received from Mr and Mrs Whiting from 11 Hartfield Road who expressed their support to preserve the tree because it is aesthetically pleasing and as suggested a great specimen and is used by many a variety of bird. They feel that it would be a sad loss to lose such a tree.</p> <p>Representation</p> <p>A letter was received from Mr and Mrs Stone the freeholders of 9 Hartfield Road. They are extremely pleased that the tree will have the chance to live indefinitely, it has given them great pleasure and they have watched it double in size during the twenty odd years that they have owned it. They had thought that they may lose it during the hurricane but it managed to hold on although it has badly split since then. Not only people but the local squirrel population will be lost without all the walnuts that they take for the winter! The reason that they feel that they should write with regard to this is that reluctantly they are in the process of selling the tree and the rear part of the land to the back of the property. Now that they no longer live at the property the upkeep of the garden is</p>

4.	<u>Human Resources</u>
	There are none.
5.	<u>Environmental Implications</u>
	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.	<u>Human Rights</u>
	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.	<u>Financial Implications</u>
	There are none.
8.	<u>Youth and Anti-Poverty Implications</u>
	There are none.
9.	<u>Conclusion</u>
	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 ACTING HEAD OF LEGAL AND PROPERTY SERVICES

Background Papers: The Background Papers used in compiling this report can be found on file PL/2/40.	