

COMMITTEE:	Planning and Licensing	
DATE:	17 June 2003	
SUBJECT:	Tree Preservation Order – Land at The Saffrons Sports Ground Meads Road/Compton Place Road Eastbourne East Sussex	
REPORT OF:	Head of Planning and Head of Legal Services	
Ward:	Meads	
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 The Saffrons Sports Ground Meads Road/Compton Place Road Eastbourne East Sussex) No. 82 (2003) be confirmed subject to the following modifications:	
	a)	the insertion in the Order of a new map in the form of the map attached to this report and the removal from the Order of the original map

	b)	the amendment of Schedule 1 to the Order by deleting the descriptions of trees T3, T4, T59, T61, T89 and T90, and inserting the new descriptions contained paragraph 3.2 of this report.
1.	<u>Introduction</u>	
1.1	<p>On 23 October 2003 the Head of Planning exercised his delegated powers and authorised the making of a tree preservation order in respect of trees on the above land. The trees are 20 Sycamores, 31 Wheatley Elms, 2 Copper Beeches, 43 Limes, 1 Horse Chestnut, 4 Norway Maples, 1 Lombardy Poplar, 2 Maritime Pines, 7 Ashes, 5 Beeches, 1 Holm Oak and 5 London Planes.</p> <p>The Head of Planning took this action because the trees on the site make an enormous contribution to the visual amenities of the area, and an order is considered appropriate to ensure their long term retention.</p> <p>The Order was made on 20 January 2003.</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/Objection</p> <p>Letters were received from The Eastbourne Saffrons Sports Club and the Chatsworth Settlement who both reported that trees T1, T2 and T122 are incorrectly positioned on the map.</p> <p>Officers Response</p> <p>With regard to the location of trees T1 and T2 a new map has been prepared showing the correct position of these trees. The new map is attached to this report.</p> <p>T122 is correctly positioned.</p> <p>Representation/Objection</p> <p>A representation was received from a resident within the grounds of the Saffrons who reported:</p> <ul style="list-style-type: none"> - trees T23 and T24 were incorrectly positioned - these trees may have been the cause of a partial collapse of a garden wall last year - there is increased shade within the garden and therefore could trees T23 and T24 not be preserved for this reason, or at the very least could they be heavily lopped <p>Officers Response</p> <p>With regard to the location of trees T23 and T24 the new map attached to this report shows the correct position of these trees.</p> <p>The Arboricultural Officer reports that the trees are close to the boundary wall of this property. If evidence is given that they are a cause of structural damage and the landowner applies for removal no objection would be made to removal and replacement. It is noted the tree 'possibly attributed to the partial collapse of the garden wall' and has not been removed by the landowner.</p> <p>There is a stated problem of shading by these trees with the proposed solution being to 'heavily lop the trees'. In the opinion of the Arboricultural Officer the trees will not shade this garden excessively as it faces northwest and is therefore not in the path of direct sunlight. The sun passes the front of the property before setting behind the Downs. If a property is suffering excessive shading, heavily lopping trees is not considered an acceptable Arboricultural method to reduce the problem, as the tree will result in a denser crown for the following seasons, therefore compounding the problem. To reduce shading it is necessary to thin the crown of a tree and raise the crown height, as this will allow the light to percolate through the canopy.</p> <p>Tree preservation orders are not limited to trees originally native to Britain, their purpose is to ensure the continuation of visual amenity provided by any variety both native and introduced. Norway Maples are not known, in this country, to reach such a stated size and are classified as nurseries as medium sized trees, suitable for planting within an urban setting. As stated previously if a tree requires pruning the application</p>	

of a TPO does not preclude any necessary works.

Arboricultural Officer’s further comments

The Arboricultural Officer has advised that his original Schedule 1 incorrectly described trees T3, T4, T59, T61, T89 and T90. The correct descriptions are as follows:

		T3	Tilia cordata (Lime)	
		T4	Acer pseudoplatanoides (Sycamore)	
		T59	Ulmus carpifolia ‘sarniensis’ (Wheatley Elm)	
		T61	Acer pseudoplatanoides (Sycamore)	
		T89	Tilia cordata (Lime)	
		T90	Ulmus carpifolia ‘sarniensis’ (Wheatley Elm)	
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 subject to modification.	
TIM COOKSON	MARK REYNARD	
HEAD OF PLANNING	HEAD OF LEGAL SERVICES	
Background Papers:		
	The Background Papers used in compiling this report can be found on file PL/2/44	