

<b>COMMITTEE:</b>	<b>PLANNING AND LICENSING</b>
<b>DATE:</b>	<b>25 May 2004</b>
<b>SUBJECT:</b>	<b>Revocation of a Tree Preservation Order</b>
<b>REPORT OF:</b>	Head of Planning
<b>Ward(s):</b>	Old Town
<b>Purpose:</b>	To seek Members authorisation to revoke Tree Preservation Order No. 40
<b>Contact:</b>	Jane Sabin, Planning Officer. Telephone 01323 415212 or internally on extension 5212. E-mail on jane.sabin@eastbourne.gov.uk
<b>Recommendation:</b>	That Tree Preservation Order No. 40 be revoked

<b>1.0</b>	<b><u>Introduction</u></b>
1.1	A Tree Preservation Order was made in 1993 on a semi mature Cupressus Macrocarpa on land at 2 Foredown Close, Eastbourne. The order was confirmed in February 1994.
1.2	The tree was located in a prominent location on the corner of Foredown Close and Compton Drive, and provided significant visual amenity to the surrounding area due to its size and excellent crown form. _
1.3	Permission was given in February 1999 for the felling of the tree after the crown split in high winds. The permission was subject to a condition to secure a replacement tree, in this case a birch, which has been planted.

2.0	<b>Application for a revocation</b>
2.1	The owners of 2 Foredown Close made a written request on 19 April 2004 for the Council to revoke the order, so that it can be removed from the property title deed and Local Land Charges register.
3.0	<b><u>Appraisal</u></b>
3.1	The Cupressus macrocarpa was removed because it was in a dangerous condition. The replacement tree has been planted, but in a different location and of a different species, therefore it is not automatically covered by the same order. Furthermore, the Council's Arboriculturist has confirmed that the new tree provides no visual amenity given its size and location (behind a boundary hedge), and that it does not warrant the protection of a new order.
4.0	<b><u>Resource Implications</u></b>  None.
5.0	<b><u>Other Implications</u></b>  None.
6.0	<b><u>Conclusion</u></b>  The existing order does not cover any trees and is therefore unenforceable.
<p><b>Background Papers:</b></p> <p>The Background Papers used in compiling this report were as follows:</p> <p>Tree Preservation Order No. 40</p> <p>To inspect or obtain copies of background papers please refer to the contact officer listed above.</p>	

(document reference)	
----------------------	--