

COMMITTEE:	Planning and Licensing	
DATE:	10 August 2004	
SUBJECT:	Tree Preservation Order – Land at 9 The Goffs, Eastbourne, East Sussex	
REPORT OF:	Head of Planning/Planning Manager and Legal Services Manager	
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 The Goffs, Eastbourne, East Sussex) No. 105 (2004) be confirmed without modification	
1.	<u>Introduction</u>	
1.1	<p>On 13 May 2004 the Head of Planning/Planning Manager exercised his delegated powers and authorised the making of a tree preservation order in respect of trees on the above land. The trees are 3 Elms and one Lime.</p> <p>The Head of Planning/Planning Manager took this action because the trees make an enormous contribution to the visual amenities of the area, and their loss would be severely detrimental to those amenities.</p> <p>The Order was made on 14 May 2004. A copy of the Order plan is attached.</p>	<p>making of a tree preservation order</p> <p>The trees are 3 Elms and one Lime.</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>Objection</p> <p>From the owner of the land who states that trees T1, T2, T3 and T4 affect visibility for visitors exiting the property and during the day staff and visitors have to drive some distance over the pavement to see the road clearly. Their intention was to lower the wall and remove the trees to increase safety around the exit also to replant newer trees in the area towards the junction of Southfields Road and The Goffs to compensate for the loss of existing trees.</p> <p>Officers Response</p> <p>The Development Control Section says the order was made as a result of submission of a planning application to demolish the existing rest home and replace it with a block of 14 flats.</p> <p>This proposal involves felling four Elm trees located behind the boundary wall. The order will ensure either retention of the trees or their replacement. The trees do not obstruct visibility. The wall causes the obstruction.</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/PLANNING MANAGER MARK REYNARD HEAD OF LEGAL SERVICES	
Background Papers: The Background Papers used in compiling this report can be found on file PL/2/..	