
TREE PRESERVATION ORDERS MONITORING AT THE ETHELDORE RESIDENTIAL DEVELOPMENT SITE (Minute 295/01)

1 SUMMARY

- 1.1 Following the meeting of the Planning Services Committee on 30 August 2001, the purpose of this report is to provide Members with details of the monitoring and other contact that the Council's Woodlands Officer has had at the Etheldore Residential Development Site.

2 INTRODUCTION

- 2.1 The site is located on land at Etheldore and Wood Avenue in Hockley.
- 2.2 The layout of the development was carefully considered to take into account the existence of a large number of protected trees and Condition 5 required these to be protected during construction. In addition, the Condition also specified that any works within the crown of protected trees should be approved by the Local Planning Authority on a case by case basis.
- 2.3 Following the report that went to this Committee on 30 August, a Breach of Condition Notice was issued on Countryside on 14 September 2001.
- 2.4 Within this Notice were detailed all the specific works that were required in order to overcome the Breach of Condition. These included replacement semi-mature trees, restoring ground levels, de-compaction of ground, provision of protective fencing and undertaking future monitoring of these actions.

3 MONITORING

- 3.1 The Council's Woodlands Officer has been visiting this site on a regular basis for a number of different purposes – on average once a month.
- 3.2 These visits have involved individual tree inspections in response to new residents making requests to undertake tree works and also meeting with Countryside when they have requested the Council's advice/decision where works could have an effect on various non-protected trees.
- 3.3 On all these occasions the Woodlands Officer has "walked the rest of the site" in order to assess the current conditions.
- 3.4 On 24 April 2002 the Woodlands Officer met with the site manager specifically to inspect the works required to overcome the Breach of Condition.

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- 3.5 Whilst some of these works had been actioned there were still a number of other works that had not been carried out.
 - 3.6 All ground restorations and protective fencing works had been completed. Additionally, the 8 semi-mature and 50 extra heavy standards required to be planted throughout the site to mitigate the damage to the trees had all been planted.
 - 3.7 However, there are 5 semi-mature trees to be planted as replacement for various preserved trees that have not yet been actioned. On discussion with the site manager, he pointed out that these are on plots where the properties have not been built and proposed that these trees would be best planted after completion. There are also 3 other replacement semi-mature trees still to be planted on completed plots.
 - 3.8 The Woodlands Officer has relayed this information to the Council's Development Control and Legal sections so that a view can be taken on the way forward.

4 LEGAL IMPLICATIONS

- 4.1 The works specified within the Breach of Conditions Notice are required to be undertaken legally with non-compliance being subject to possible prosecution in the Magistrates Court.

5 RECOMMENDATION

- 5.1 It is proposed that the Committee **RESOLVES**

That the Woodlands and Environmental Specialist continue to monitor the Etheldore Residential Development Site to ensure that the remaining eight trees are planted as per the agreement with the Countryside Properties.
(HPS)

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