

SEDGEFIELD BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Friday,
11 July 2008

Time: 10.00 a.m.

Present: Councillor A. Smith (Chairman) and

Councillors D.R. Brown, V. Chapman, Mrs. P. Crathorne, V. Crosby, Mrs. L. M.G. Cuthbertson, D. Farry, P. Gittins J.P., A. Gray, G.C. Gray, Mrs. J. Gray, B. Haigh, Mrs. S. Haigh, Mrs. I. Hewitson, A. Hodgson, B. Lamb, B.M. Ord, Mrs. E.M. Paylor, A. Warburton and T. Ward

Apologies: Councillors Mrs. A.M. Armstrong, B.F. Avery J.P, W.M. Blenkinsopp, Mrs. D. Bowman, T. Brimm, J. Burton, D. Chaytor, Mrs. K. Conroy, T.F. Forrest, Mrs. B. Graham, D.M. Hancock, J.E. Higgin, T. Hogan, Mrs. L. Hovvels, G.M.R. Howe, J.G. Huntington, Mrs. H.J. Hutchinson, Mrs. S. J. Iveson, Ms. I. Jackson, J.M. Khan, Mrs. E. Maddison, C. Nelson, D.A. Newell, Mrs. C. Potts, J. Robinson J.P, B. Stephens, K. Thompson, W. Waters and Mrs E. M. Wood

DC.21/08 DECLARATIONS OF INTEREST
No declarations of interest were received.

DC.22/08 TREE PRESERVATION ORDER NO 54/2008 NORTH CLOSE
It was explained that the meeting had been convened to consider a report of Head of Planning Services in relation to Tree Preservation Order No. 54/2008 North Close. (For copy see file of Minutes) which, at the meeting of Development Control Committee on 20th June 2008 had been deferred pending an inspection of the site.

Members visited the site and re-assembled in the Council Offices to determine its decision.

Officers outlined the background to the Provisional Tree Preservation Order which had been made in April 2008. The Committee was informed that it had three options with regard to the Order. It could decide to confirm the Order in its entirety, it could decide to amend the Order or it could let it lapse. Officers, however, considered that it would be expedient in the interests of amenity to make provision for the preservation of trees and woodland in that area and therefore the Tree Preservation should be confirmed.

A number of residents in the area had objected to the Tree Preservation Order and based their objections primarily on:-

- Woodland designation is too restrictive on maintenance of essentially intensively managed garden areas.
- A TPO is not necessary.
- Serving a TPO will restrict development.

It was explained that Mr Barrett, a local resident was present at the meeting to outline his objections to the proposed TPO. Mr Barrett explained that his main objection to the TPO was the constraints which it would put on developing his property. He made particular reference to tree T11 which was on his property and which he considered should be excluded from the Order. He explained that the amenity value of the tree was limited as its view was obscured. Furthermore the tree did not stand in the gateway of any properties nor on the main road corridor. The exclusion of tree T11 from the Order would assist in any future development of the property.

Mr West, a local resident, was also present at the meeting to outline his objections. He explained that his objections related to the fact that the majority of local residents considered that there was no special need specifically for a Tree Preservation Order . Pruning of trees was needed on an infrequent basis and indeed some of the trees had been damaged during severe windy weather conditions. These had needed attention. It would be difficult if permission was required every time a tree needed maintaining. Residents had a right to maintain the amenity value of their garden.

The Committee was informed that another local resident, Mr Marley, was also at the meeting to outline his objections to the proposals . Mr Marley explained that he was objecting to the way in which the Tree Preservation Order was raised and also classification. He pointed out to the Committee that not all local residents had been legally informed of the Order. Reference was also made to a recent High Court ruling which had been made in relation to Tree Preservation Orders which may affect the Committees decision.

It was considered that bearing in mind the points raised by Mr Marley, the application should be deferred pending clarification on those points.

RESOLVED: That consideration of the Tree Preservation Order be deferred pending further clarification and information.

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Liz North