



Philip Somerfield B.A. Dip T.P., D.M.S. M.R.T.P.I
Head of Regulatory Services

Date: 18 August 2014

Direct Line: 01283 508782

Direct Fax: 01283 508388

Reply to: David Ward

Our ref: ENF/2014/00171

*(please quote this reference on all
correspondence with us)*

Dear

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 207, TREE
REPLACEMENT NOTICE**

As result of a number of protected trees being destroyed at the above site I enclose an important legal notice relating to a requirement to plant replacement trees.

Attached to the Tree Replacement Notice (TRN) are details of how to appeal if you so choose. Failure to comply with the terms of the Notice within the prescribed time scale may result in the Council entering your land, planting the trees and recovering reasonable costs as a legal charge on the land.

The Tree Replacement Notice will be placed on the official Local Authority Search Register.

If you have any queries regarding this matter please do not hesitate to contact me.

Yours sincerely

Planning Enforcement

david.ward@eaststaffsbc.gov.uk



**East Staffordshire Borough Council
The Maltsters
Wetmore Road
Burton upon Trent
Staffordshire
DE14 1LS**

Tel: 01283 508782

Email: david.ward@eaststaffsbc.gov.uk

IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE
PLANNING AND COMPENSATION ACT 1991)**

TREE REPLACEMENT NOTICE

Tree Preservation Order, 1977. No 37.

To:

1. **THIS IS A FORMAL NOTICE** which is served by the Council under section 207 of the Town and Country Planning Act 1990 ("the Act") because it appears to them that:

as the owner of "the land" identified in paragraph 2 of this Notice, you have not complied with your duty under Section 206 Town & Country Planning Act 1990 to replace 8 Lime trees that were unlawfully destroyed.

2. **THE LAND AFFECTED**

Land at "Clayesmore", 11 Church Road, Stretton, Staffordshire, DE13 0HD, shown edged red on the attached plan number 1.

3. **REASONS FOR SERVING NOTICE**

The replacement tree specification, set out in paragraph 4 of this Notice, is considered appropriate to mitigate the loss of amenity associated with the removal of the 8 destroyed Lime trees at Clayesmore, 11 Church Road, Stretton, Burton upon Trent, Staffordshire DE13 0HD.

The specification also concurs with good forestry practice with the recommended tree species indicatively found within the vicinity of the site and therefore considered suitable for their location.

4. WHAT YOU ARE REQUIRED TO DO

You are required to plant the following trees;

No. of trees required: 8 (to replace protected trees numbered 66,67,68,70,71,72,73 and 74)

Species: Tilia Cordata 'Greenspire' Lime trees.

Size: 20-30cm girth

Location: In the positions formerly occupied by protected trees numbered 66,67,68,70,71,72,73 and 74 shown on attached plan number 2.

5. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 29th September 2014 unless an appeal is made against it beforehand.

6. COMPLIANCE PERIOD

The trees specified in paragraph 4 must be planted in the locations specified in that paragraph no later than 29th November 2014.

Signed:

Dated: 18 August 2014

Diane Passam
Legal Services Manager
East Staffordshire Borough Council

YOUR RIGHT OF APPEAL

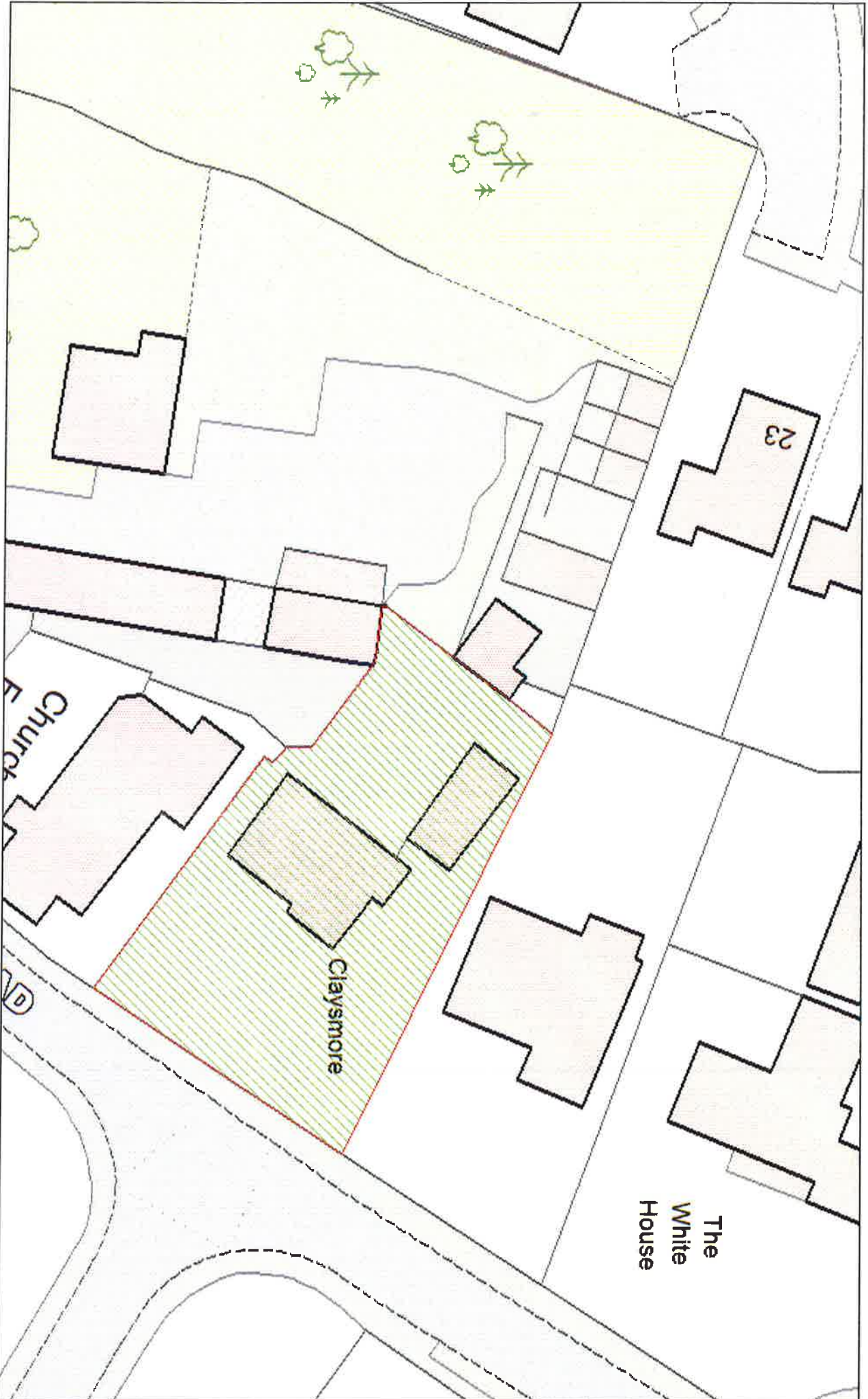
You can appeal against this notice by writing to The Planning Inspectorate, Trees and Hedges Team, Room 4/04, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN. Email: environment.appeals@pins.gsi.gov.uk Fax: 0117 372 6241. Tel 0117 372 6292. Your appeal must be received, or posted in time for it to be received, before **Friday 26th September 2014**. You can appeal on any one or more of the following grounds:

- 1) that the provisions of the duty to replace trees or, as the case may be, the conditions of consent, requiring the replacement of trees, are not applicable or have been complied with;
- 2) that in all the circumstances of the case the duty to replace trees should be dispensed with in relation to any tree;
- 3) that the requirements of the notice are unreasonable in respect of the period or the size or species of trees specified in it;
- 4) that the planting of a tree or trees in accordance with the notice is not required in the interests or amenity or would be contrary to the practice of good forestry;
- 5) that the place on which the tree is or trees are to be planted is unsuitable for that purpose.

You must also state the facts on which your appeal is based.

FAILURE TO COMPLY

If you do not comply with this notice, the Council may enter the land, plant the trees and recover from you any reasonable expenses incurred.



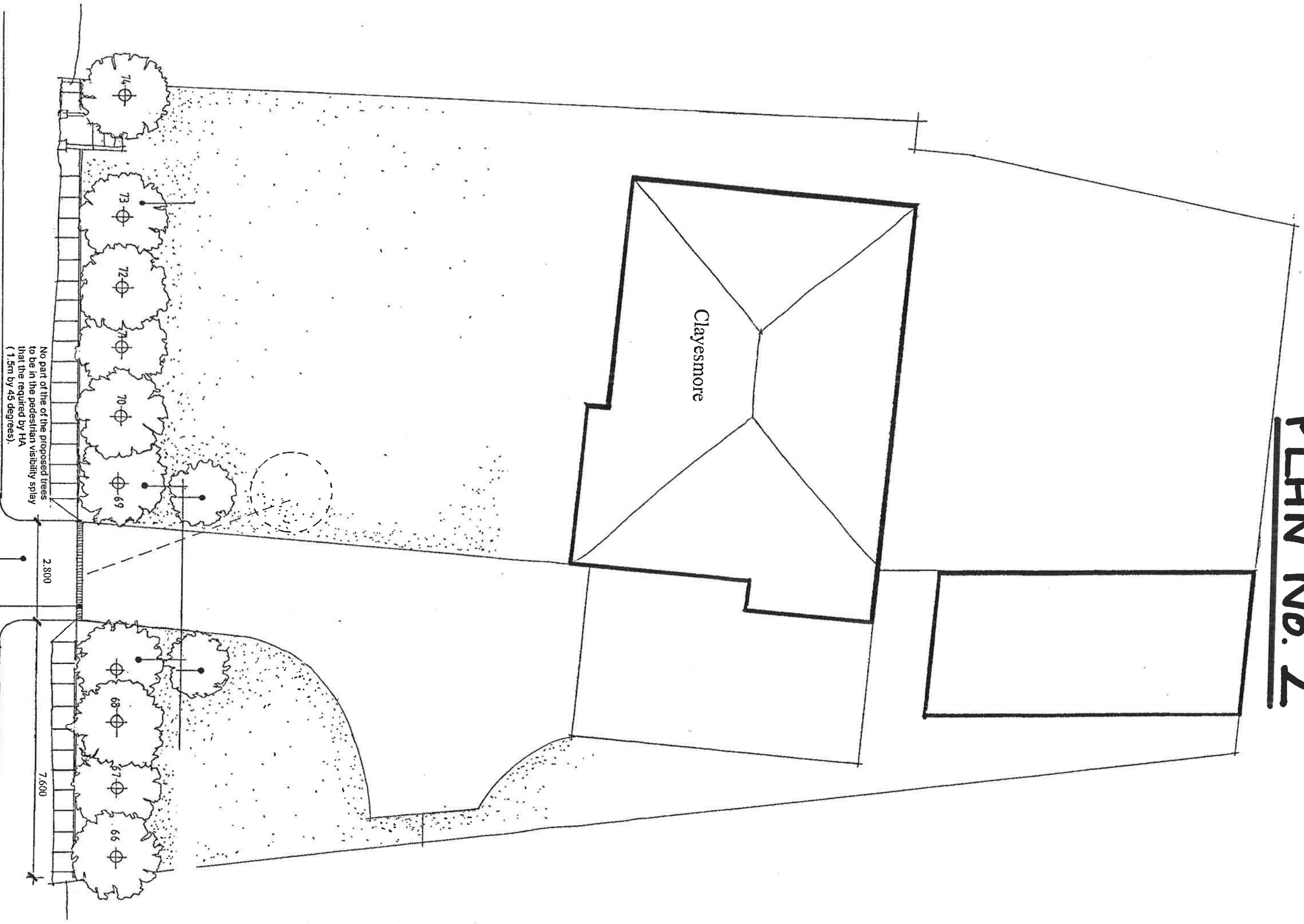
CLAYESMORE
11 CHURCH ROAD
STRETTON
BURTON UPON TRENT
STAFFORDSHIRE
DE13 0HD

PLAN No. 1

You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

Planning Services
Scale: 1:500
Date: 18 August 2014

PLAN No. 2



No part of the of the proposed trees to be in the pedestrian visibility splay that the required by HA (1.5m by 45 degrees).

2,300

7,600

BLOCK PLAN 1:100

New 2.8 metre vehicular access. Dropped kerb to be constructed in accordance with Staffordshire Highways Department Road Specification and Safe Stopping Distances manual.

Church Road

All dimensions shown in meters unless stated otherwise.