

SALISBURY DISTRICT COUNCIL
SPECIAL DELEGATION PROCEDURE

Cllr Green

For your approval &
return to DSU

For information

COMMITTEE CONCERNED: Western Area Committee
 FROM: Stephen Thorne SERVICE UNIT: Planning Services
 DATE: 3rd November 2005

Re: TPO337 – Willow Tree at Barnesfield House, Pottridge Lane, Mere, Warminster, Wilts, BA12 6DG.

1. Tree Preservation Order 337 was made on 30th September 2004 and confirmed on the 12th November 2004.
2. The neighbouring property owner applied to fell the tree on the grounds that it was causing damage to his property.
3. The application to fell the tree was refused.
4. The refusal was upheld on appeal due to insufficient evidence being produced by the applicant.
5. The neighbours Insurance Company has now made a claim under the Town and Country Planning Act 1990 for compensation for damages.
6. On review of the whole matter it appears that the order was confirmed under delegated powers as an unopposed order, whereas there was a valid objection to the order.
7. In the circumstances it is considered expedient to revoke the order.

(Please tick relevant box)

IMPLICATIONS	OFFICER	COMMENTS (incl)	NONE	NOT APPLICABLE
Legal	Ann Beard	Contained Above		
Financial	Jan Carter		None	
Personnel			None	
Environmental	Russell Horsey	Councils Duty To Protect Trees		

Co-ordinated with
 Officer (s) Russell Horsey, Jane Ferguson, Tim Pizzey, Ann Beard, Jan Carter
 Unit (s) Planning and Legal, Exchequer Services

APPROVED:

Cathy
 Chairman

Vice Chairman *Josephine Green*