



ASHBOURNE TOWN COUNCIL
Town Hall, ASHBOURNE, Derbyshire.DE6 1ES
Tel: 01335 342291
E-mail:- enquiries@ashbournetowncouncil.gov.uk
www.ashbournetowncouncil.gov.uk

3rd September 2024

To: The Mayor, Deputy Mayor and Members of Ashbourne Town Council

Dear Councillor,

You are summoned to attend the meeting of the **Planning Committee** of Ashbourne Town Council to be held at **7.00pm on Monday 9 September 2024** in the Council Chamber, Town Hall, Ashbourne.

Members are asked to sign the attendance sheet for the meeting and to complete the Declarations Sheet (if appropriate). These will be available in the Council Chamber.

Yours sincerely

Carole Dean
Town Clerk

1) Apologies for absence.

2) Variation of Order of Business.

3) Declaration of Members Interests

This is to enable Members to declare the existence and nature of any Disclosable Pecuniary Interest they have in subsequent agenda items, in accordance with the Town Council's Code of Conduct. Interests that become apparent at a later stage in the proceedings may be declared at that time.

4) To receive and approve requests for dispensations from members on matters in which they have a Disclosable Pecuniary Interest

5) Public Questions and Comments – (3 Minutes per speaker a maximum 15 Minutes in total)

- a) A period of not more than fifteen minutes will be made available for members of the public and Members of the Council to comment on any matters.
- b) If the Police Liaison Officer, a County Council or District Council Member is in attendance they will be given the opportunity to raise any matters.

6) Members to familiarise themselves with planning applications prior to the meeting (please go to <https://planning.derbyshiredales.gov.uk/online-applications/> and put the Planning Application number in the search section.

7) Members to pass a Resolution to agree discussing and commenting on Planning Applications received after the date of the agenda due to response times.

8) New Applications

Reference	Name	Location	Details
24/00729/VCOND, Variation of condition 45 of application no. 19/01274/FUL	FW Harrison Estates Ltd	Ashbourne Airfield, A52, Ashbourne	Hybrid planning application comprising of an outline planning application (all matters reserved) for up to 367 dwellings (with integrated open space), up to 10 hectares of employment land (B1, B2 and B8 business uses), a commercial hub incorporating A1 (Shops) /A2 (Professional/ Financial services), A3 (Restaurants and Cafes)/A4 (Drinking Establishments), D1 (Non-Residential Institutions) and C1 (Hotels) uses and associated highways and drainage infrastructure and a full planning application for the erection of 1no. Industrial unit (B1, B2 and B8 business uses) with access via roundabout and link road and for the formation of an attenuation pond
24/00745/ADV	Mr C Amos, Amos Group Ltd	11-15 Horse and Jockey Yard, St John Street, Ashbourne, DE6 1GH	Installation of one nonilluminated fascia sign and one nonilluminated projecting sign
24/00747/FUL	Mr C Amos, Amos Group Ltd	11-15 Horse and Jockey Yard, St John Street, Ashbourne, DE6 1GH	Installation of new shopfront
24/00769/FUL	Miss Charlotte Fiori	19 Greenway, Ashbourne, Derbyshire, DE6 1EF	Proposed extension and alterations

9) TPO & CLPUD/PDE/ CLEUD Applications. (CLPUD/PDE/CLEUD are for information only)

Reference	Name	Location	Details
T/24/00159/TPO		4 Quixhill Close, Ashbourne	Pruning of 1 Mature Ash Tree
T/24/00158/TPO	Mr Sam Kitching	2A Wyaston Road, Ashbourne	Re pollard Ash Tree back to previous points

10) DCC report on diseased trees in Bradley Wood (previously emailed out). Members to advise whether a Planning Application needs to be submitted to DDDC to fell the tree(s) and a Bat survey carried out. Members to appoint an arboriculturist to carry out any works.

(Information attached). Members to consider replacing the felled trees; Cllr Brown suggested 5 growth established replacements (preferably Oak trees) approximately 2metres in height. Links for suggested tree(s) including prices:

<https://treesdirect.co.uk/product/oak-tree/>

<https://shop.woodlandtrust.org.uk/search?q=oak+tree&adv=true&cid=66&isc=true&sid=true&adv=false&isc=false&sid=false>

<https://www.ashridgetrees.co.uk/p/garden-trees/oak-quercus/robur-common-native>

11) Members to decide on the draft response done by Cllr Currie regarding S106 monies to be sent to DDDC (attached).

12) Invitation to a stakeholder workshop in the evening of Thursday 19th September to discuss the future development of the Ashbourne Airfield Site. This site offers significant potential for the future growth of Ashbourne, with the opportunity to create a sustainable urban extension to the town. (attached).

13) From DDDC - Street Naming & Numbering of a new development – land off Cavendish Drive, Ashbourne. Members to consider the suggested names of:
Arbor Low.

Holmesfield – the name of a farm that was on the airfield before it was removed before the war.

Smedley – the surname of the occupiers of Holmesfield Farm.

14) Correspondence (emailed out)

a) From DCC - Close A515 Collycroft Hill for Carriageway Patching Night Closures only 30th September 18:30 to 5th October 02:00.

15) From DDDC – Notice of recommendation for approval of Planning Application 24/00625/VCOND. Application to be considered by DDDC following a site visit and is recommended for approval, the Town Council had no objection to this application. Chair and Deputy (Town Council) advised of the meeting and asked if they wished to attend and speak on behalf of the Town Council.

16) Decision Notices for information only.

Reference	Name	Location	Details	Decision
24/00377/LBALT	Ms Lucy Anderson FatFace Ltd	35 - 39 Market Place, Ashbourne	Installation of replacement panelling, repainting/replacing of black downpipes, replacement signage, repair and repainting of high level cornices and window frames, replacement of delapidated areas of brickwork around windows and repainting of existing shopfront	Granted With Conditions 15/07/2024
24/00388/ADV	Ms Lucy Anderson FatFace Ltd	Market Place, Ashbourne	1no. New / replacement fascia sign	Granted With Conditions 15/07/2024
24/00394/FUL	Mr & Mrs Stelfox	53A Derby Road, Ashbourne	Erection of garage	Granted With Conditions 15/07/2024

17) Chair to sign the Minutes (Previously approved and ratified).



Item 10

emailed out
20/8/24

Chris Henning
Executive Director - Place

County Hall
Matlock
Derbyshire DE4 3AG

Minicom: 01629 533240
Telephone: 01629 535668
Ask for: Laurence Rayner
Our ref: ENQ/33001581
Your ref:
Date: 19 August 2024

Dear Sir/Madam,

HIGHWAYS ACT 1980

RE: DISEASED ASH TREES ON LAND AT BRADLEY WOOD, ADJOINING THE SOUTH SIDE OF A517 BELPER ROAD, NETHER STURSTON, DERBYSHIRE.

I write to inform you that a group of approximately 5 Ash trees on land adjoining the A517, which we believe you own, appear showing advanced signs of Ash Dieback disease. The trees are in a poor condition and as such is posing a risk to the highway. I enclose a report by one of our Tree Inspectors which identifies the location of the trees in question with tree ref: **Tg1**. The schedule at the end of the report sets out a specification of work that is recommended to be carried out to all the trees within **6 months**.

If the recommended work is not undertaken within this timescale, the County Council may decide to serve a formal Notice on you under Section 154 of the Highways Act 1980 that will require you to carry out the recommended work within 14 days of the Notice. To avoid such formal action, it is hoped that your co-operation can be relied upon to carry out the recommended work as soon as possible, but certainly within the timescale referred to above. I enclose a form for you to complete and return to confirm that the recommended works has been carried out.

The trees are not protected by a Tree Preservation Order made by the County Council, however they might be protected by a Tree Preservation Order made by the District/Borough Council or be within one of their Conservation Areas. As such, it would be advisable to contact the planning department at the District/Borough Council as you may be required to obtain their written consent before carrying out the recommended work. If protected, you may also have a legal duty to plant replacement trees, and you are advised to discuss this with the District/Borough Council when you contact them.

Please be advised that you may also require a Felling License from the Forestry Commission before carrying out the work. You can find more information about obtaining a felling license here: <https://www.gov.uk/guidance/tree-felling-licence-when-you-need-to-apply#whocan-apply-for-a-licence>. Whilst certain exemptions from the requirement to obtain a Felling License may apply, it is your responsibility

to confirm this directly with the Forestry Commission prior to carrying out the work. Contact details for their East and East Midlands Regional Office can be found here: <https://www.gov.uk/government/organisations/forestry-commission/about/access-and-opening#east-and-east-midlands>.

You are reminded that landowners and occupiers potentially have a liability should an incident occur due to failure of a tree or trees which affects the highway users. It is likely that traffic management measures will be required to be in place whilst the recommended work is carried out. To arrange this, please contact the Highways Hub using the appropriate contact for your District/Borough, which can be found here: <https://www.derbyshire.gov.uk/transport-roads/roads-traffic/roadworks/permit-scheme/street-work-contacts/street-works-contacts.aspx>.

Please find enclosed two Advice Notes concerning the potential for bats or nesting birds within the trees and you should have regard to the advice in these notes when carrying out the recommended work.

The Tree Council has produced an information booklet for landowners called '*Ash Dieback Disease - A Guide for Tree Owners*'. You can find a copy of this on their website at: <https://treecouncil.org.uk/guidance-resources/ash-dieback-disease-a-guide-for-tree-owners/>.

If you have any other questions regarding this letter, please call me on the telephone number above or email: ash.dieback@derbyshire.gov.uk.

Yours faithfully,

Laurence Rayner

Laurence Rayner
Technical Assistant (Trees and Woodlands)

ENCS: Tree Inspectors Report.
Advice Note: Nesting Birds.
Advice Note: Bats and tree work.
Completion of Works form.



To: Trees and Woodlands Team (Ash Dieback)
Place
County Hall
Matlock
Derbyshire
DE4 3AG

Email: ash.dieback@derbyshire.gov.uk

From: _____

Tree Location: **LAND AT BRADLEY WOOD, ADJOINING THE SOUTH SIDE OF A517 BELPER ROAD, NETHER STURSTON, DERBYSHIRE.**

Enquiry Ref No: **ENQ/33001581**

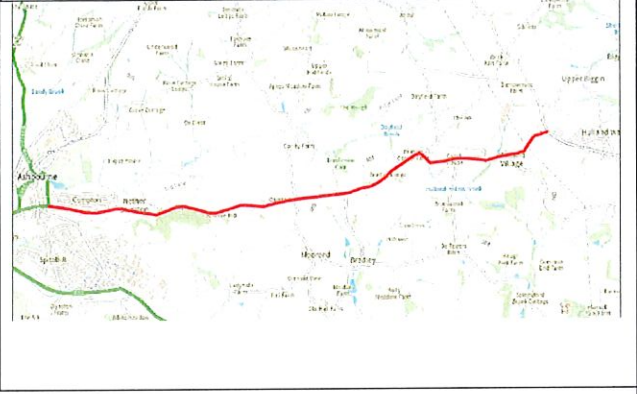
NOTICE OF COMPLETION

I hereby give notice that the work recommended in the report enclosed with the letter of **19 August 2024** was completed on:[insert date].

Date:

Signed:

Print Name:

Inspector:	Mark Wilson			Ref:	33001581		
Report to:	Rod Whiteman/Phil Hardy		CC:	Laurence Rayner		Date:	10/07/2024
DCC TPO:	No	Check for district tree preservation order with relevant authority.					
Cons area:	No	Authority:	DDDC				
Priority rating 1 (high) – 3 (low)	See Appendix 1						
Location:	Ownership:		Private				
A517 Belper Road, Nether Sturston		Priority Key 1. Within 28 days 2. Within 6 months 3. Within 12 months					
General notes:							
<p>Ash tree is showing symptoms of Ash Dieback disease caused by the fungus <i>Hymenoscyphus fraxineus</i>. Ash dieback is widespread across England and Ash trees across Derbyshire are now symptomatic of the disease. Symptoms vary, but include leaf wilt, leaf loss and crown dieback, and in some instances visible lesions in branch or stem tissues which directly contribute to tree decline and death.</p> <p>Infected trees are known to be weakened to the point where they succumb to secondary pests or pathogens. As an ash tree declines it will become brittle, lose branches, and eventually succumb to the disease. Where affected by secondary pathogens, it appears to decline more rapidly, increasing the loss of timber strength and integrity increasing the likelihood of structural failure.</p> <p>The visual condition of the crown density can be broken down into four categories:</p> <ul style="list-style-type: none"> - Category 1: 100%-76% of the crown remains - Category 2: 75%-51% of the crown remains - Category 3: 50%-26% of the crown remains - Category 4: 25%-0% of the crown remains <p>Category 1 is for trees in good- fair condition, with no, or minor symptoms of infection. Category 4 is for trees in poor condition, with advanced symptoms of infection. Removal of the worst affected ash trees is currently recommended (category 4), and the continuing inspection of any retained Ash trees will be required.</p> <p>Please be aware that landowners are legally responsible for trees that are on their land and that regular inspection of any retained trees by the landowner is advised.</p> <p>Removal of the tree is recommended to prevent branch or whole tree failure onto the highway.</p>							
Works recommended:							
<ul style="list-style-type: none"> • Please see the Tree Schedule in appendix 1 for the relevant tree work recommendations • All works to be carried out to British Standard 3998:2010 (BSI) 							

PLEASE NOTE:

Individual landowners are permitted to fell 5m³ per calendar quarter without a felling license if the timber produced is not to be sold, and 2m³ if the timber produced is to be sold.

Landowners receiving this report will need to check with their local Forestry Commission woodland officer if felling licenses are required for their trees as well as checking for District Council tree preservation orders (TPO) and Conservation areas. Potential ecological constraints will also need to be assessed before carrying out works (Nesting birds, bat roost potential, etc).

Pictures



Tg1

Location maps:



All works to be carried out to British Standard 3998:2010 (BSI)

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Appendix 1: Tree Schedule

Tree ref	Road	What3Words	Tree #	Spp	DBH (cm)	Height (m)	ADB cat	Recommended works specification	Notes	Priority
Tg1	A517 Belper Road	captures.carbon.digesting	5	Ash		12	3+4	Fell to ground level	Approx. 5ish trees marked pink, Bradley wood, opposite layby.	2

GLOSSARY:

Tree ref: = Unique tree reference number

What3Words = Use <https://what3words.com> for location

Tree # = Approximate number of trees

SPP = Species

DBH = Diameter at breast height (tree stem)

ADB cat = Ash dieback category (1 to 4)

CA/TPO = Conservation Area and/or Tree Preservation Order present

Priority = Timeframe for prescribed works (see priority key at top of report)

Advice Note: Nesting Birds

1. Nesting birds are protected by the Wildlife and Countryside Act, 1981, Part 1, Section 1(1).
2. It is an offence to intentionally or recklessly:
 - a. Kill, injure or take a wild bird;
 - b. Take, damage or destroy its nest whilst in use or being built;
 - c. Take or destroy its eggs.
3. The nesting season for birds is from March to August inclusive although it is impossible to give exact dates. Therefore, work should not be undertaken to trees and hedges between April and July unless there are immediate road safety issues.
4. Ideally landowners should inspect their trees and hedges in the autumn and manage them in winter (November to February) to avoid both nesting and feeding seasons.
5. If you are instructed to carry out tree or hedge maintenance by the Highway Authority during the summer you must check thoroughly for nests. If nests are present work must not proceed and you should advise the County Council immediately.

Advice Note: Bats and tree work

1. All species of bat are protected by the Wildlife and Countryside Act (as amended) 1981 and the Conservation (Natural Habitats & C) Regulations 1994, known as the Habitat Regulations.
2. It is an offence to intentionally or recklessly:
 - a. Damage, destroy or obstruct access to any place that a bat uses for shelter or protection.
 - b. Disturb a bat while it is occupying a structure or place that it uses for shelter or protection.
3. Where the presence of bats is suspected a bat survey should be undertaken. If it is concluded that it is unlikely that bats are present and works can proceed care should still be taken.
4. If bats are found and the branch has already been removed or tree felled gather any bats that have fallen out of the cavity and put them into a dark confined space such as a cardboard box and contact English Nature immediately.
5. If bats are found in a cavity within a felled section; cover the section and put it to one side and contact English Nature immediately.
6. As bats and their roosts are protected, failure to take the appropriate action could result in prosecution. If in doubt, contact English Nature for advice.
7. For more information or help call English Nature on 01629 816640; The Bat Conservation Trust on 0207 627 2628; or the Bat Helpline (for injured bats) 0845 1300 228.