

DECISION

**Report to planning committee**

**COMMITTEE:** Planning Committee

**TITLE:** Town & Country Planning Act 1990  
Town & Country Planning (Tree Protection)  
(England) Regulations 2012  
Tree Preservation Order No.153 (2014)  
Land to the north of Hillport House,  
Porthill Bank, Newcastle.

**SUBMITTED BY:** Head of Operations

**1 Purpose**

- 1.1 To advise members of the Planning Committee that the above order was made using delegated powers on 15<sup>th</sup> January 2014, and to seek approval for the Order to be confirmed as made.

**2 Background**

- 2.1 The Order protects trees situated within the grounds and to the north of Hillport House, Porthill Bank. The Order was made to safeguard the longer term visual amenity that the trees provide after a planning pre-application was received with a view to building 9 to 14 dwellings on the site.

**3 Issues**

- 3.1 The woodland is situated in a hollow between Hillport House to the south and a larger wood to the north which runs adjacent to the A500 road. The individual trees are within the grounds to the front of Hillport House. The trees are mature, predominantly deciduous, mixed species and clearly visible from Melvyn Crescent, Porthill Bank, and the roundabout at the junction of Porthill Bank and the A500. Porthill Bank is a major route into Wolstanton and Newcastle.
- 3.2 The trees are a significant feature to the locality and provide an important contribution to the area. Their loss would have a detrimental effect on the visual amenity, not only of the site but also to the locality.
- 3.3 A planning pre-application was received with a view to building 9 to 14 dwellings on the site. This would entail the loss of trees resulting in concern that the trees could be seen by the developer as a hindrance to the proposals being progressed and that they may be felled to remove them as an obstacle to future development.

3.3 Your officers inspected the woodland and trees in November 2013 and carried out a TPO assessment, and found them worthy of an Order. They are considered to be in reasonable health, visually significant and an amenity to the locality, with the prospect of continuing to provide this for many years. The Order was made and served on 15<sup>th</sup> January 2014 in order to protect the long term well-being of the woodland and trees. No representations were received.

3.4 Your officers are of the opinion that the longer-term visual amenity of the woodland and trees is best secured by the making of a Tree Preservation Order. Your officers are of the opinion that the trees are generally healthy at present and are of sufficient amenity value to merit the making of a Tree Preservation Order. They are considered to be appropriate species for the locality and provide public amenity value due to their form and visibility from public locations. The making of the Order will not prevent the owner from carrying out good management of the trees nor progressing plans to develop the site, and it will give the Council the opportunity to control the works and prevent unnecessary cutting down, lopping, topping, uprooting, wilful damage or wilful destruction. The owner will be able to apply for permission to carry out maintenance work to the trees which is necessary to safely manage them.

#### **4 Recommendation**

4.1 That Tree Preservation Order No 153 (2014), land to the north of Hillport House, Porthill Bank, Newcastle, be confirmed as made and that the owners of the site be informed accordingly.