

Confirmation of Tree Preservation Order

**40/42 EARLS DRIVE
NEWCASTLE UNDER LYME
ST5 3QS**

Tree Preservation Order No.162 (2014)

Town & Country Planning Act 1990

Town & Country Planning (Tree Protection) (England) Regulations 2012

The Provisional Order protects a tree situated to the west side of Earls Drive, Westlands, in the front gardens between numbers 40 and 42. The Order was made to safeguard the longer term visual amenity that the tree provides after a tree status enquiry was received which gave rise to concern that the tree could be lopped or felled.

The Order was made using delegated powers on 26th November 2014. Approval is sought for the Order to be confirmed as made.

The 6 month period for this Order expires on 26th May 2015

RECOMMENDATION

That Tree Preservation Order No 162 (2014), 40/42 Earls Drive, Newcastle under Lyme, ST5 3QS, be confirmed as made and that the owners of the site be informed accordingly.

Reasons for Recommendation

Your officers are of the opinion that the longer-term visual amenity of the tree is best secured by the making of a Tree Preservation Order. Your officers are of the opinion that the tree is generally healthy at present and of sufficient amenity value to merit the making of a Tree Preservation Order. It is a prominent and important tree on Earls Drive and is considered to be an appropriate species for the locality and provide high public amenity value due to its form and visibility from public locations. The making of the Order will not prevent the owner from carrying out good management of the tree 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 tree which is necessary to safely manage it.

Representations

No representations have been received.

Issues

The tree is situated on the fence line between the front gardens of 40 and 42 Earls Drive. It is a large single stemmed mature lime which is clearly visible from a substantial length of the road. It is a significant feature to the locality and provides an important contribution to the area. Its loss would have a detrimental effect on the visual amenity, not only of the site but also to the locality.

A tree status enquiry was received by the council in November 2014 which listed difficulties in relation to the presence of the lime tree along with an ash tree in the rear garden of number 42. This gave rise to concerns that the trees might be unnecessarily lopped or felled.

Your officers inspected the two trees on the site in April 2014 and carried out a TPO assessment. The ash tree did not meet the criteria necessary however the lime tree was considered worthy of an Order. It is 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 26th November 2014 in order to protect the long term well-being of the tree.

Date report prepared

5th February 2015