

## **Confirmation of Tree Preservation Order**

Scots Pine Tree to the rear of 8 Barford Road

### **Tree Preservation Order No 186 (2017)**

Town & Country Planning Act 1990

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

### **The Provisional Order**

The Provisional Tree Preservation Order protects an individual mature Scots Pine, situated in a visually prominent position to the rear of 8 Barford Road.

The provisional Tree Preservation Order was served using delegated powers on 08/08/17. The consultation period ended on 05/09/17

Approval is sought for the order to be confirmed as made.

**The 6 month period for this Order expires on 7<sup>th</sup> February 2017**

### **RECOMMENDATION**

That Tree Preservation Order No 186 (2017), 8 Barford Road, Newcastle be confirmed as made and that the owners of the site be informed accordingly.

### **Reasons for Recommendation**

#### **Background**

The Scots Pine tree makes an important contribution to the local landscape. The tree is clearly visible from Bunny Hill (public open space), and is also visible from Stockwood Road, Barford Road, Kensworth Close, Ridgemont Road, Langford Road.

The Pine occupies an elevated position and is a visually prominent backdrop tree. There are distant views of the tree from a wide area within the locality.

The tree makes a valuable contribution to the local landscape and its loss would have a detrimental effect on the visual amenity, not only of the site but also to the locality.

This individual tree is of a good shape and form, with a full and healthy crown and is sufficient quality to be retained.

A planning application was been submitted which would have resulted in the loss of all of the trees on the site.

Following an assessment of all of the trees on the site, the Scots Pine was found to meet the criteria for protection; other trees on the site did not meet these criteria.

The order was served in order to protect the long term well-being of this tree.

## **Representations**

Following the consultation period two representations were received:

A representation from the applicant's agent expressed frustration that the borough council had served the Tree Preservation Order and suggested that this type of situation encourages applicants to cut down trees before they submit applications. The agent stated that he always tries to get applicants to retain trees with the view that the local authority will take a sensible view of the trees and the protection. He suggests that the sensible view had not been taken on this occasion.

The agent then went on to explain that the tree could be retained and protected.

A second representation from a neighbour was received stating that they are pleased that the TPO has been served as they feel the tree is important and prominent. They agree with officer comments that the layout of the proposed development should be altered to allow for the Pine to be retained and protected, and to allow space for its future growth.

The neighbour goes on to say that they hope the landscape department can continue to support them in ensuring that the tree remains protected.

## **Issues**

Since the provisional order was made the applicant revised the layout of the development and two new planning applications have been submitted. Planning applications 17/00878ful (refused at planning committee of 6/12/2017) and 17/00483/ful (appeal now lodged).

Adjustments made to recent submissions mean that the tree can now be accommodated within the proposed development, which allows sufficient space for the tree to be retained and protected and for its future growth.

Landscape officers would have no objection to new proposals (subject to detailed matters which could be dealt by way of planning conditions).

The making of the Order will not prevent the owner from carrying out good management of the trees, nor improving or developing 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.

In order to protect the long term well-being of this tree, it should be protected by a Tree Preservation Order.

## **Date report prepared**

11<sup>th</sup> December 2017