

Confirmation of Tree Preservation Order

Trees at Nuffield Hospital, Clayton Road, Newcastle under Lyme

Tree Preservation Order No 199 (2018)

Town & Country Planning Act 1990

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

The Provisional Order

The Provisional Tree Preservation Order protects trees at Trees at Nuffield Hospital, Clayton Road, Newcastle under Lyme.

The Order was served using delegated powers on 23/11/2018. The consultation period ended on 21/12/2018.

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

The 6 month period for this Order expires on 25th May 2019

RECOMMENDATION

That Tree Preservation Order No 199 (2018), Trees at Nuffield Hospital, Clayton Road, Newcastle under Lyme be confirmed as modified and that the owners of the site be informed accordingly.

Reasons for Recommendation

Background

These trees make a valuable contribution to the site and the locality, and are clearly visible from Clayton Road, Long Meadow and feature as backdrop trees within the surrounding landscape. They provide an important visual contribution to the adjacent Conservation Area, and an attractive and prominent roadside feature along the busy Clayton Road. Their loss would have a detrimental effect on the visual amenity, not only of the site but also to the locality.

There has been some recent tree loss in the on the site and in the locality, and some development pressure due to the installation of a substation within the treed area. Following a recent tree removal, a further request has been received for the removal of another tree on the site. The Borough Council has concerns that continued tree loss on this site could have a negative effect upon the character of the local setting.

The placing of the new TPO will not prevent future development on the site nor tree management; however it will allow the Borough Council the opportunity to prevent any unwarranted tree loss or pruning that is not in accordance with good arboricultural practice.

Two trees on the site are already affected by Tree Preservation Orders. They are a mature Sweet Chestnut situated on close to the boundary with properties at Whitehouse (T6/18 T6 and T6/13/T1), and a mature Acer on the southern boundary of the site adjacent to public footpath leading to Long Meadow (T6/18 T7).

In order to protect the long-term wellbeing of the trees, they should be protected by a Tree Preservation Order.

Representations

Following the consultation period one objection was received.

The objection raised the following matters.

- Borough councils use of an outdated base plan.
- Concern about the effects of T5 (Maple) on the neighbouring property.
- Concern about the effects of T5 on the substation.
- Proximity of T5 to the neighbouring property
- Subsidence damage to the neighbouring property which may/may not have been caused by an adjacent tree (now removed).
- Restricted view of T5 (Maple) tree from the surrounding landscape.

Since the order was served two applications for Tree Work have been received.

Application ref 18/01016/TWA for the removal of T5 (Maple):
Permitted on 4th February 2019

Application ref 19/00038/TWA for various tree maintenance works
Permitted on 26th February 2019.

Issues

Following the consultation the base plan for TPO199 has been updated.

Following the determination of tree work application ref 18/01016/TWA, T5: Maple has been removed from the order.

Following the two amendments above, your officers recommendation is that Tree Preservation Order TPO199 be confirmed as modified.

The making of the Order will not prevent the owner from carrying out good management of the woodland, 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 the remaining trees on this site they should be protected by a confirmed Tree Preservation Order.

Date report prepared

26th February 2019