

## **Confirmation of Tree Preservation Order**

### **LAND AT 39 SANDY LANE, NEWCASTLE.**

#### **Tree Preservation Order No 212 (2021)**

Town & Country Planning Act 1990

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

**The Order** protects a lime tree situated at the front of 39 Sandy Lane, Newcastle. 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 it might be felled.

The Order was made using delegated powers on 9<sup>th</sup> October 2021. Approval is sought for the Order to be confirmed as made.

The 6 month period of the Provisional Order expired on 9<sup>th</sup> April 2021.

#### **RECOMMENDATION**

That Provisional Tree Preservation Order number 212, Land at 39 Sandy Lane, Newcastle is confirmed as made and the owners of the property 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 consider that the tree is generally healthy at present and of sufficient amenity value to merit the making of a Tree Preservation Order. It is considered to be an appropriate species for the locality and provide 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 and appropriately manage it.

#### **Representations**

No representations have been received.

#### **Issues**

The tree is situated adjacent to the drive on the frontage of the property. It is a mature lime tree and clearly visible from Sandy Lane. The tree 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 from the owner of the property stating the intention to remove the tree due to its location, vehicle access when entering and leaving the property and root growth causing uneven drive surface.

Your officers inspected the tree and carried out a tree assessment. 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, and worthy of an Order. It is considered that the reasons given for the proposed tree removal are insufficient to justify it being felled and that relatively minor works would be required to remedy the situation. The tree is behind the property wall and does not obstruct highway visibility splays or significantly impinge on the drive, and deformation of the drive is minor and can be repaired.

The Provisional Order was made and served on 9th October 2020 in order to protect the long term well-being of the tree.

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.

Date report prepared

12 May 2021