

PLANNING COMMITTEE – 6 AUGUST 2019

Application No:	19/00002/TPO
Proposal:	TPO N367 – G1 Group of trees including the following species: Larch Black Pine Field Maple Cherry Ash Hawthorn Oak Sycamore
Location:	On land to the rear of No's 38 to 120 Middleton Road, Newark, Nottinghamshire.

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as it is for the confirmation of a Tree Preservation Order - TPO N367.

Justification for the TPO

The application site comprises a parcel of land located to the rear of properties 38 to 120 Middleton Road, extending along the rear boundaries for their whole length to where the application site meets Brunel Drive. There is a small section of land to the rear of No's 50, 52 and 54 Middleton Road, which was formally included within the area, but it has been modified due to there now being no trees within this area. This area has also been subject to past planning applications including recently refused application 19/00207/FUL, the erection of four dwellings as associated works. The Local Authority are now seeking to modify the Tree Preservation Order from an Area (A1) to a Group (G1) and following a site inspection, confirm the species of trees within this report.

A request was put forward by District Councillor, Mrs Gill Dawn, to the Local Authority to consider placing a Tree Preservation Order upon this area of trees following concerns raised by local residents following clearance of trees from a small section of land to the rear of No's 50, 52 and 54 Middleton Road. The Local Authority's enforcement officer undertook a site visit to assess the works. It was established during that visit that a number of trees had been removed and a small area of land cleared (currently subject to a re-submitted planning application). A later site visit undertaken by the Local Authority's Tree Officer confirmed that the area of trees warranted protection by Tree Preservation Order (TPO). Further discussion took place with Councillor Dawn and it was agreed to proceed with the protection of those trees as it is believed the trees in area contained within this Order were originally planted to form a screen between the residential properties and the edge of the (then new) Industrial Estate.

The Local Authority has adopted a consistent approach regarding the assessment when considering whether trees should be protected by an Order, including:

1. Visibility - The extent to which the trees can be seen by the public. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public;

2. Importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:
 - size and form;
 - future potential as an amenity;
 - rarity, cultural or historic value;
 - contribution to, and relationship with, the landscape; and
 - contribution to the character or appearance of a conservation area.

Appendix 1 – Photographs provides views of the trees including within the TPO schedule.

Appendix 2 – TPO plan identifies the location of the area and species of trees to be protected, including;

Larch
Black Pine
Field Maple
Cherry
Ash
Hawthorn
Oak
Sycamore

Consultations

The Local Authority served notice on 13th May 2019 inviting representations about the trees covered by the Order. A copy of the Order was made available for public inspection and site notice posted within close proximity to the site.

The following representations have been received and summarised below:

- Representations - Letter of representation has been received from 1 separate address that supported the Preservation Order.

RECOMMENDATION

That the Tree Preservation Order be confirmed for the following reasons:

1. The trees on site appear to be in good health and structural condition and provide a mature setting for the locality;
2. They provide valuable screening of the site to neighbouring properties;
3. They form a prominent feature in the area, and also provide a positive visual public amenity contribution to the local street scene, being visible from many viewpoints; and
4. It is considered that the trees could be at risk from future development.

BACKGROUND PAPERS

Application case file.

For further information, please contact Jo Brown, Technical Support Officer on ext 5826.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Matt Lamb
Director of Growth and Regeneration

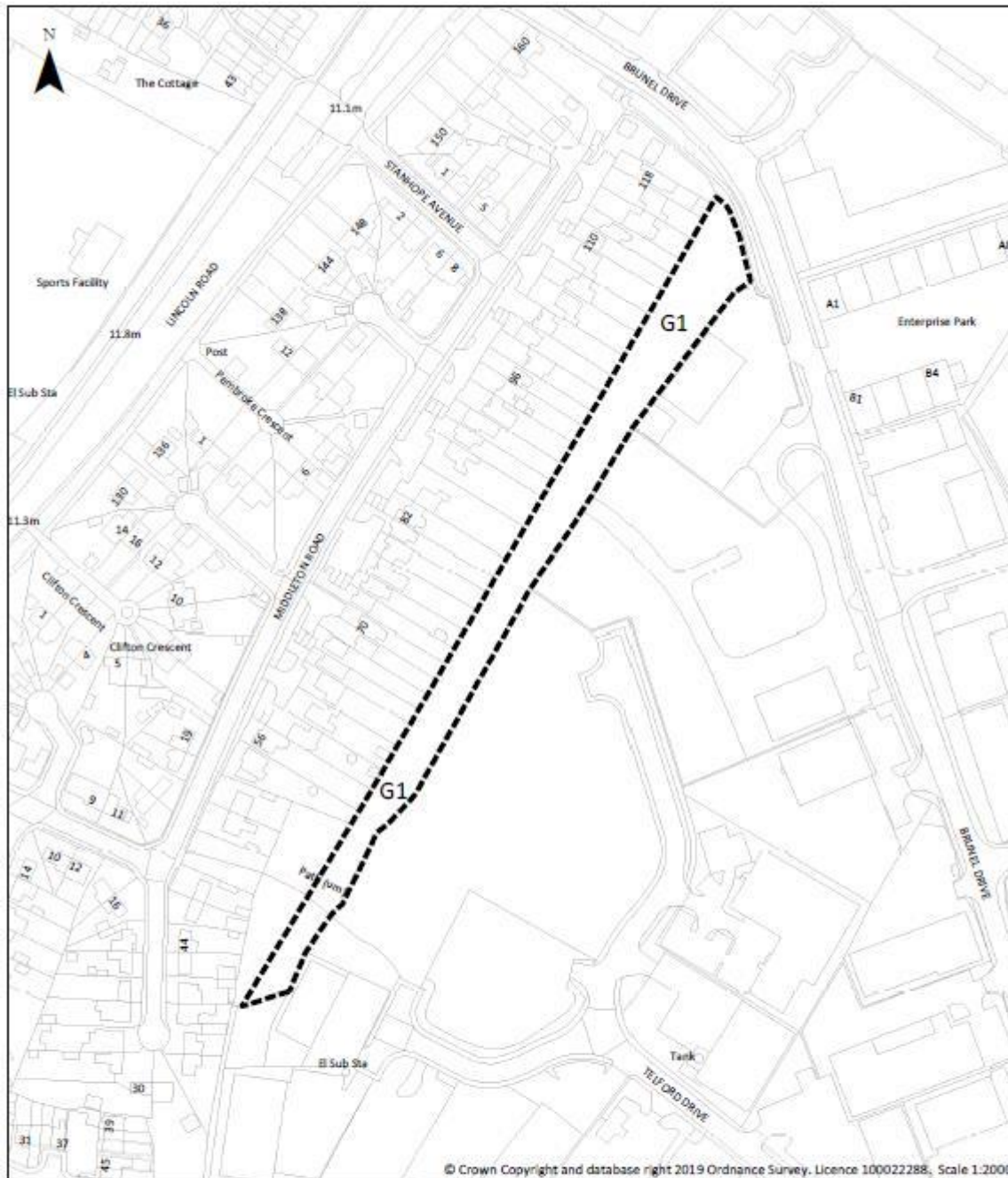
Appendix 1 – Photographs

Views into application site area from the rear of No's 50, 52 and 54 Middleton Road



Appendix 2 – TPO plan


For the avoidance of doubt, the plan is not to scale



Tree Preservation Order No. N367

Land to the rear of No's 38 to 120 Middleton Road, Newark, Nottinghamshire

Schedule of protected trees

 Trees specified within Group defined by dashed line on the map

G1 - Group consisting of a mixture of trees including Larch, Black Pine, Field Maple, Cherry, Ash, Hawthorn, Oak and Sycamore

Individual Trees - None

Areas - None

Woodlands - None

