

f.a.o. Ms B Steele
Highcrest Homes NE Ltd.
Highfields
Hillcrest
Middle Herrington
Sunderland
SR3 3TN

Date: 25th September 2018
Our ref: (TPO 172)
Your ref:

This matter is being dealt with by: Andrew Browning, Principal Planner, Development Management

Dear Madam,

RE: TREE PRESERVATION ORDER 172, LAND BETWEEN 20 WOODSIDE GROVE AND 1 CRANBORNE, EAST HERRINGTON.

I refer to your representation, dated 15th September 2018, submitted in relation to the Council's intention to make a Tree Preservation Order (no. 172) in respect of the trees at Woodside Grove/Cranborne, East Herrington. I would like to offer the following comments and information.

It is understood that your company, Highcrest Homes, is in the process of purchasing the land on which the trees stand, from Gentoo, with the intention of developing the land for residential purposes. Your representation contends that the Council has acted to make a Tree Preservation Order (TPO) in response to a request from a local resident, who does not wish for such development of the land to take place and is seeking to use the TPO process as a means of preventing the housing proposals.

Whilst the Council cannot reveal the identity of any persons responsible for requesting the making of the TPO, I can confirm that the potential development interest in the land was taken into consideration in deciding whether to make the TPO. In this regard, the Government's National Planning Practice Guidance (NPPG) website advises (at paragraph 10, reference ID: 36-010-20140306) that 'in some cases, the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order'.

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Notwithstanding the above, I must advise that the value of the trees has been thoroughly assessed by the Council, with input from an independent Arboriculturalist, and it is considered that the trees are of very good form and quality and that they make a significant positive contribution to the amenity of the locality. The age of the trees also means they have the potential to benefit the amenity of the area for a significant period of time.

The Council therefore considers that the quality and amenity value of the trees is such that the making of a Tree Preservation Order is fully justified.

With reference to the implications of making the TPO in respect of your proposals for the site, I must advise that the potential merits of any prospective development cannot be taken into account in determining whether to make the TPO, particularly given that the Council, in its capacity as Local Planning Authority, has not yet been approached to formally consider a scheme via either a pre-application enquiry or a full planning application.

In the event you do proceed with a pre-application enquiry or formal planning application in respect of a proposed development of the site, the protected status and amenity value of the trees would, of course, represent a material consideration in respect of determining the merits of any proposal. Any potential harm to the amenity value of the trees would then have to be weighed against all other material considerations, including the potential benefits the proposed development of the land would bring in terms of the supply of affordable housing.

I trust the above clarifies the Council's views in respect of this matter, however please don't hesitate to contact Mr Browning using the details below if you require any further information or assistance.

Yours faithfully

Peter McIntyre
Executive Director Economy and Place

The Case Progression Officer is: Andrew Browning
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