

<b>Title of Report:</b>	<b>TPO Confirmation – Lands Adjacent to Nos. 1,3,5,7, 9,11, &amp; 34 Cranagh View Road, Coleraine (LA01/2025/0016/TPO)</b>
<b>Committee Report Submitted To:</b>	<b>PLANNING COMMITTEE</b>
<b>Date of Meeting:</b>	<b>28<sup>th</sup> January 2026</b>
<b>For Decision or For Information</b>	<b>For Decision</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Our elected members work collaboratively and make decisions on an evidence led basis and in line with its policies.
Lead Officer	Principal Planning Officer

<b>Budgetary Considerations:</b>	
Cost of Proposal	TPO Survey £380 (excl. VAT)
Included in Current Year Estimates	Within Budget
Capital/Revenue	
Code	34000 5301
Staffing Costs	Within budget/working hours

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals. <b>Not applicable in this case.</b>		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

## **1.0 Purpose of Report**

- 1.1 To present the TPO Confirmation, with no modification, for Lands Adjacent to No's. 1,3,5,7,9,11, & 34 Cranagh View, Coleraine.

## **2.0 Background**

- 2.1 Under Sections 122 and 123 of the Planning Act (NI) 2011 and the provisions of the Planning (Trees) Regulations (Northern Ireland) 2015 the Council may make Tree Preservation Orders (TPOs) to afford statutory protection to selected trees or woodlands if their removal is likely to have a significant impact on the local environment and its enjoyment by the public.
- 2.2 Trees can have a high amenity value and can make an important contribution to the environment, creating a varied, interesting and attractive landscape. They can help define the character of an area and create a sense of place acting as landmark features in urban and rural areas. They also have nature conservation, historic and recreational value. Trees in the Northern Ireland landscape are limited, therefore, where they do exist their contribution is valued.
- 2.3 The Council may make a TPO for the purpose of protecting trees if they are considered to be of special value in terms of amenity, history or rarity, which may or may not be under threat. Therefore, to be considered for a TPO, trees must be of high amenity value and in reasonable condition. The following criteria are used when assessing the merits of a potential TPO:
- Potential Threat: Priority will be given to the protection of those trees deemed to be at immediate risk from active felling or damage from development on site. All other requests will be assessed and prioritised accordingly.
  - Visibility: The extent to which the trees or woodlands can be seen by the general public will inform the assessment of whether the impact on the local environment is significant.
  - Individual Impact: The mere fact that a tree is publicly visible will not itself be sufficient to warrant a TPO. The tree's particular importance will be assessed by reference to its size and form. Its future potential as an amenity should also be assessed, taking into account any special factors such as its screening value or contribution to the character or appearance of an area. In relation to a group of trees or woodland, an assessment will be made of the collective impact.
  - Wider Impact: The significance of the trees in their local surroundings will also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.
  - Historical Importance: Certain trees, because of their age, association with the setting of listed buildings, or the contribution they make to the special character of a conservation area, may require consideration for TPO protection.

- **Rarity:** There may be occasions where a tree(s) may be considered for TPO protection solely on the grounds of its rarity. The priority of the consideration will reflect the rarity of the species.
- 2.4 All types of tree can be protected. The Order can cover anything from a single tree to woodlands. Normally, unless a Woodland TPO is proposed, only trees over 3.5m in height are considered for a TPO. Hedges, bushes and shrubs will not be protected.
- 2.5 In terms of the process and timescales, a Provisional TPO is normally served first, with the final confirmation within six months, or it can be allowed to lapse if, as a result of detailed assessment, it is considered that the trees are not worthy of protection.

### **3.0 Site Context**

- 3.1 The site is located on the southern side of Portstewart Road, Coleraine, beside the Cranagh View housing development, and the Ulster University playing fields. The current TPO related to the stand of hybrid Poplar trees along the western boundary, and to trees contained within the site of the former No's. 72 and 74 Portstewart Road. These dwellings have been demolished, and Cranagh View development now sits on the site. The trees within the development site were considered as part of the planning process relating to its redevelopment (LA01/2016/0712/F refers). The row of hybrid Poplar trees lies outside the development site on land owned by another party. There have been Consented Works to manage these trees, most recently in late 2023, which largely focused on the reduction of end weight and removal of ivy.
- 3.2 The proposed TPO is focused on this row of Poplars, which were surveyed in September 2025, and were found to be in a condition suitable for retention as a TPO.

#### Northern Area Plan

- 3.3 The Northern Area Plan (NAP) 2016 defines the surveyed lands as lying on the Settlement Development Limit, creating a strong visual demarcation between within the extent of the built form of Coleraine, and the surrounding lands in this area.

#### Reason for Consideration of a TPO Review

- 3.4 The review of the TPO was considered appropriate, given the time of the original provisional TPO in 2004, the completed development and the consented works.
- 3.5 A Provisional TPO was served on site on 23<sup>rd</sup> October 2025 (see Appendix 1). This notice took effect immediately and provided protection for all trees on the site for a period of six months (until 23<sup>rd</sup> April 2026). In line with legislation, a

copy of the Provisional TPO documentation was also posted to inform interested parties and adjoining neighbours and copies of the Order were also attached to protected trees in obvious locations within the site on 23<sup>rd</sup> October 2025.

- 3.6 The consultation process allowed comments/representations to be submitted within 28 days from the date of Notice of the Provisional TPO (up to 20<sup>th</sup> November 2025).
- 3.7 A qualified Arboriculturist was appointed to carry out a detailed assessment of the trees, identifying the current physical condition of each individual tree, allowing for consideration of whether a tree is suitable for protection

#### Detailed Assessment of Trees

- 3.8 The tree survey (see Appendix 2) is dated 29<sup>th</sup> September 2025. A total of 43 individual trees were surveyed. The report includes specific observations and recommendations for all trees.
- 3.9 On assessment of the report and in terms of recommendations for the confirmation of the TPO, it is important to note that the majority of trees are considered to be in a fair condition, with a remaining life expectancy of at least 20 years, and suitable for TPO protection. They are considered to have visual public amenity value for users in approaches towards and when leaving Coleraine as they present a strong visual marker of the boundary of the town's built form on the south side of Portstewart Road and the lands beyond.
- 3.10 No objections were received regarding the serving of a TPO on lands at Cranagh View Road, Coleraine.

#### Summary

- 3.11 The TPO site contains 43 trees which are considered to be worthy and suitable for TPO protection. These trees have high public amenity value, being located in a prominent location along the south side of Portstewart Road, and contribute to the character of the wider area.
- 3.12 TPO to be Confirmed, with No Modification, to include all 43 trees within the site.

#### **3.13 Financial Implications**

- 3.14 No financial implications for the Council.

#### **4.0 Options**

- 4.1 **Option 1:** Resolve to confirm the TPO with no modifications as detailed above.

**Option 2:** Resolve not to confirm the TPO.

## **5.0 Recommendation**

5.1 **IT IS RECOMMENDED** that Members agree to either Option 1 or 2 above.

### **Appendices:**

**Appendix 1:** Provisional TPO Notice and Map

**Appendix 2:** Tree Report

## **Appendix 1: Provisional TPO Notice and Map**

### **THE PLANNING ACT (NORTHERN IRELAND) 2011 THE PLANNING (TREES) REGULATIONS (NORTHERN IRELAND) 2015**

#### **TREE PRESERVATION ORDER**

##### **Lands Adjacent to Nos. 1, 3, 5, 7, 9,11 & 34 Cranagh View Road, Coleraine**

Causeway Coast and Glens Borough Council (in this Order called "the Council") in exercise of the powers conferred upon it by sections 122, 123 and 183(1) of the Planning Act (Northern Ireland) 2011(a) makes the following order:

No person shall, except with the consent of the Council and in accordance with the conditions, if any, imposed on such consent, cut down, uproot, top, lop, wilfully damage or wilfully destroy or cause or permit the cutting down, uprooting, topping, lopping, wilful damage or wilful destruction of any tree specified in Schedule 1 or comprised in a group of trees or in a woodland specified in that Schedule. the position of which trees, groups of trees or woodlands is defined in the manner indicated in Schedule 1 on the annexed maps which maps shall for the purpose of such definition prevail where any ambiguity arises between them and the specification in Schedule 1.

The Council directs that section 123 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on **23<sup>rd</sup> October 2025**.

The Order is subject to the provisions of Schedule 2 and to the exemptions specified in Schedule 3.

Authorised by the Council to sign in that behalf on

---

Authorised Officer

On behalf of: Causeway Coast and Glens Borough Council Planning Manager

#### **SCHEDULE 1**

*All those trees contained within the area outlined in red on the attached Map A.*

## **SCHEDULE 2**

### **Application of provisions of the Planning Act (Northern Ireland) 2011**

1.-(1) The provisions of sections 40, 58, 59, 60, 68, of the 2011 Act specified in column 1 of Part 1 of Schedule 4 of this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column 2.

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part 2 of that Schedule.

### **Compensation**

2. Subject to the provisions of this Order any person who has suffered loss or damage in consequence of—

- (a) any refusal of consent to cut down, uproot, top or lop a tree which is the subject of a tree preservation order; or
- (b) the granting of any such consent subject to conditions,

shall if they make a claim to the council within the time and in the manner prescribed by paragraph 5 be entitled subject to such exceptions as may be prescribed to recover from the council compensation in respect of such loss or damage.

3. No claim may be made under this Order if the amount in respect of which the claim would otherwise have been made is less than £500.

4. No compensation shall be payable to a person:

- (a) for loss of development value or other diminution in the value of the land;
- (b) for loss or damage which, having regard to the statement of reasons as set out in paragraph (5)(1) and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when the consent was refused or was granted subject to conditions; or
- (c) for loss or damage reasonably foreseeable by that person and attributable to his or her failure to take reasonable steps to avert the loss or damage or to mitigate its extent.

5.-(1) A claim for compensation shall be in writing, stating the reasons for that claim and shall be made by serving it on the council.

(2) The time within which any such claim shall be made shall be a period of six months from the date of the decision of the council, or where an appeal has been made to the planning appeals commission against the decision of the council from the date of the decision of the commission on the appeal.

6. The Lands Tribunal shall determine any question of disputed compensation.

NOTE: Any person who, in contravention of the provisions of this Order cuts down, uproots or wilfully destroys a tree, or wilfully damages, tops or lops a tree in such a manner as to be likely to destroy it is guilty of an offence under section 126 (penalties for contravention of tree preservation orders) of the Planning Act (Northern Ireland) 2011 and liable on summary conviction to a fine not exceeding £100,000; and on conviction on indictment, to a fine. In determining the amount of fine to be imposed on a person convicted of such an offence the court must in particular have regard to any financial benefit which has accrued or appears likely to accrue to that person in consequence of the offence.

Any person who contravenes the provisions of this Order otherwise than as mentioned above, shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

## SCHEDULE 3

This Order shall not apply to require the consent of the council to:

1. The cutting down, uprooting, topping or lopping of a tree exempted from the provisions of this Order by section 122(5) of the Planning Act (Northern Ireland) 2011 namely a tree which is dead or has become dangerous, or the cutting down, uprooting, topping or lopping of which is in compliance with obligations imposed by or under any statutory provision or so far as may be necessary for the prevention or abatement of a nuisance.

2. The cutting down, uprooting, topping or lopping of a tree—

- (a) in pursuance of the power conferred on the operator by virtue of section 106 of the Communications Act 2003(a) and paragraph 19 of Schedule 2 to the Telecommunications Act 1984(b);
- (b) by a statutory undertaker (defined as such by Section 250 of the Planning Act (Northern Ireland) 2011), where the land on which the tree is situated is operational land (as defined in the Planning (General Permitted Development) Order (Northern Ireland) 2015(c)) of the statutory undertaker and the work is necessary—
  - (i) in the interests of the safe operation of the undertaking;
  - (ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or
  - (iii) to enable the statutory undertaker, to carry out development permitted by or under the Planning (General Permitted Development) Order (Northern Ireland) 2015;
- (c) where required for the purpose of carrying out development authorised by planning permission granted (other than an outline planning permission) on an application made under Part 3 of the Planning Act (Northern Ireland) 2011;
- (d) which is a fruit tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;
- (e) where required to enable the implementation of an order made under Articles 4(1), 5(1), 6, 14(1), 15(1), 18(1) and 68(1) of the Roads (Northern Ireland) Order 1993(d) or
- (f) where that work is urgently necessary for national security purposes.

3. The pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit

---

(a) 2003 c. 21

(b) 1984 c 12

(c) S R. 2015 no.70

(d) 1993 No. 3160 (N.1 15)



## SCHEDULE 4 PART 1

Adaptation of sections 40, 58, 59, 60 and 68 of the Planning Act (Northern Ireland)  
2011

---

Column 1: Provision of the 2011 Act	Column 2: Adaptation or Modification
-------------------------------------	--------------------------------------

---

Section 40	Substitute this section with- "Application for consent to cut down, uproot, top or lop trees 40.(1) An application for consent made to the council shall be in writing containing a statement of reasons for making the application, and specifying, by reference if necessary to a map, the trees or woodland to which the application relates and the operations for which consent is required. (2) The council may grant consent to an application either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree or trees) as the council may think fit, or may refuse consent."
Section 58(1)	Omit "-" and "(a)" For the words "planning permission to develop land" substitute "consent under a tree preservation order". Omit paragraphs (b) and (c). For the words "permission, consent, agreement or approval" substitute "consent".
Section 58(2)	Omit.
Section 58(3)	For the number "(3)" substitute "(2)".
Section 58(4)	For the number "(4)" substitute "(3)". Omit the words ",subject to subsections (5) to (7),".
Section 58(5)	Substitute this subsection with— "(4) Where an appeal is brought under this section, the commission must afford both the appellant and the council the opportunity of— (a) appearing before and being heard by the commission; or (b) submitting to the commission a written statement within such period and in respect of such matters as the commission may specify to them by notice in writing."
Section 58(6)	For the number "(6)" substitute "(5)".
Section 58(7)	Omit.
Section 59(1)	Omit the words "or as the case may be, the Department".
Section 60	After the words "section 58(1)" insert the words "as applied and modified by the Planning (Trees) Regulations (Northern Ireland) 2015".

	Omit the words "either—", "(a)", and "; or" in paragraph (a).
	Omit paragraph (b).
	Omit paragraph (c).
	For subparagraphs "(i)" and "(ii)" substitute "(a)" and "(b)" and for the words "permission, consent, agreement or approval" substitute "consent".
Section 68	In the title omit the words "planning permission" and substitute "consent under a tree preservation order". Substitute the section with the following-
	"(1) If it appears to a council that it is expedient to revoke or modify any consent under a tree preservation order, the council may, subject to subsections (3), (4) and (5) by order revoke or modify the consent to such extent as it considers expedient.
have	(2) Without prejudice to the generality of subsection (1), a council may regard to any material change in circumstances that has occurred since
the	consent was granted.
	(3) The power conferred by this section to revoke or modify consent under a tree preservation order maybe exercised at any time before
the	operations for which consent has been given have been completed,
but	any such revocation or modification shall not affect so much of
those	operations as has been carried out.
	(4) Where the council makes an order under this section it must serve
	a notice on-
	(a) the person who applied for the consent;
	(b) the owner and occupier of the land affected; and
	(c) any other person who, in its opinion, would be affected by
the	order.
	(5) An order under this section shall take effect on the day after that
	on which the council complies with the requirements of subsection
	(4)."

## PART 2

### Sections 40, 58, 59, 60 & 68 of the Planning Act (Northern Ireland) 2011 as adapted or modified

#### Application for consent to cut down, uproot, top or lop trees

**40.-(1 )** An application for consent made to the council shall be in writing containing a statement of reasons for making the application, and specifying, by reference if necessary to a map, the trees or woodland to which the application relates and the operations for which consent is required.

(2) The council may grant consent to an application either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree or trees) as the council may think fit, or may refuse consent.

#### Appeals

**58.-( 1 )** Where an application is made to a council for consent under a tree preservation order then if that consent is refused or is granted subject to conditions, the applicant may by notice in writing appeal to the planning appeals commission.

(2) Any notice under this section must be served on the planning appeals commission within 4 months from the date of notification of the decision to which it relates or such other period as may be specified by development order.

(3) Where an appeal is brought under this section from a decision of a council, the planning appeals commission may allow or dismiss the appeal or may reverse or vary any part of the decision whether the appeal relates to that part thereof or not and may deal with the application as if it had been made to it in the first instance.

(4) Where an appeal is brought under this section, the commission must afford both the appellant and the council the opportunity of—

- (a) appearing before and being heard by the commission; or
- (b) submitting to the commission a written statement within such period and in respect of such matters as the commission may specify to them by notice in writing.

(5) If at any time before or during the determination of an appeal under this section it appears to the planning appeals commission that the appellant is responsible for undue delay in the progress of the appeal, it may—

- (a) give the appellant notice that the appeal will be dismissed unless the appellant takes, within the period specified in the notice, such steps as are specified in the notice for the expedition of the appeal; and
- (b) if the appellant fails to take those steps within that period, dismiss the appeal accordingly.

#### **Matters which may be raised in an appeal under section 58**

**59.-(1 )** In an appeal under section 58, a party to the proceedings is not to raise any matter which was not before the council at the time the decision appealed against was made unless that party can demonstrate to the satisfaction of the planning appeals commission—

- (a) that the matter could not have been raised before that time, or
- (b) that its not being raised before that time was a consequence of exceptional circumstances.

(2) Nothing in subsection (1) affects any requirement or entitlement to have regard to—

- (a) the provisions of the local development plan, or
- (11) any other material consideration.

#### **Appeal against failure to take planning decision**

**60.** Where any such application as is mentioned in section 58(1) as applied and modified by the Planning (Trees) Regulations (Northern Ireland) 2015 is made to a council, then unless within such period as may be specified by a development order, or within such extended period as may be agreed upon in writing between the applicant and the council, the council gives notice to the applicant of its decision on the application, section 58 shall apply in relation to the application—

- (a) as if the consent to which it relates had been refused by the council; and
- (b) as if notification of the council's decision had been received by the applicant at the end of the period so specified, or at the end of the said extended period, as the case may be.

#### **Revocation or modification of consent under a tree preservation order by council**

**68.-( 1 )** If it appears to a council that it is expedient to revoke or modify any consent under a tree preservation order, the council may, subject to subsections (3), (4) and (5) by order revoke or modify the consent to such extent as it considers expedient.

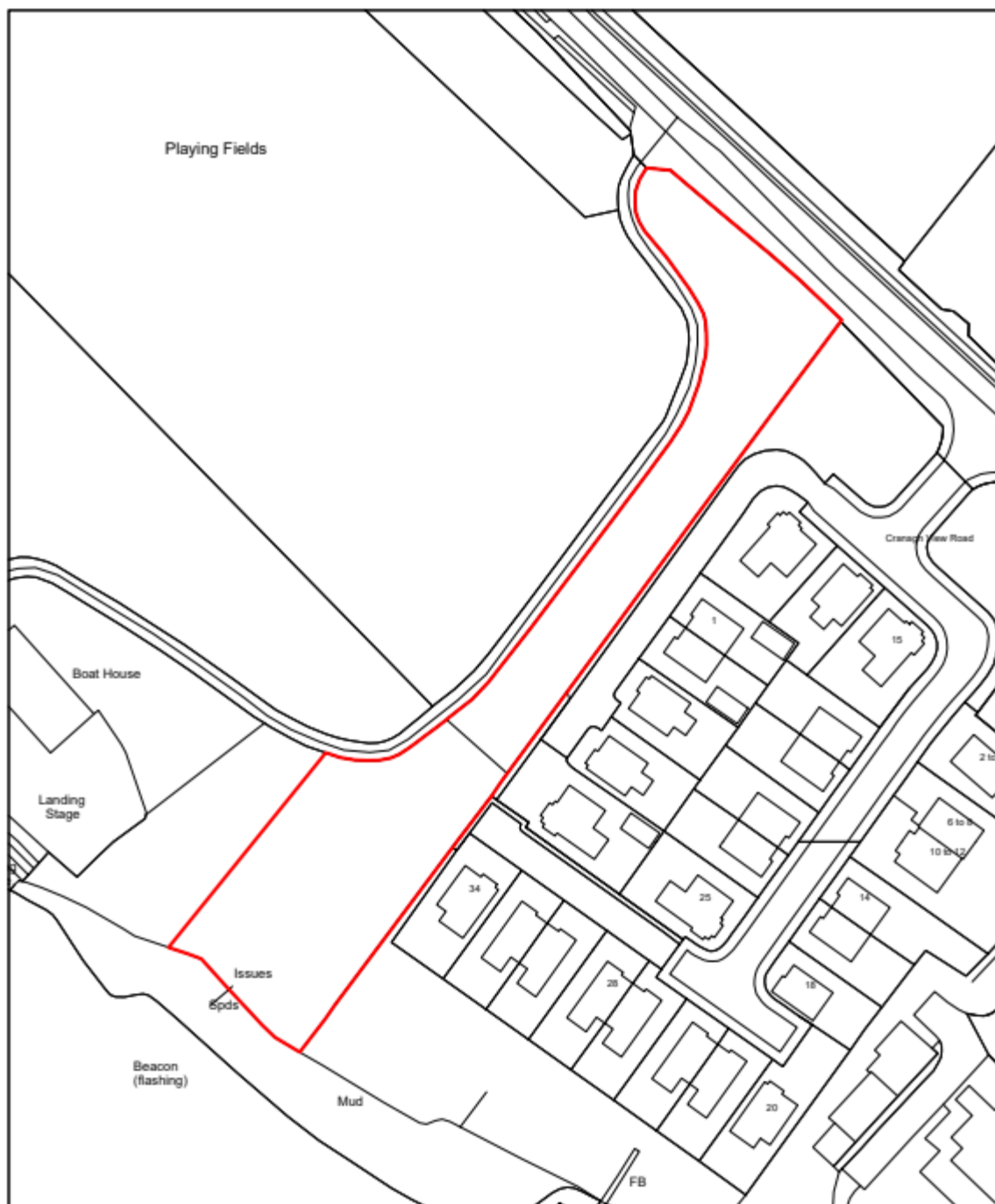
(2) Without prejudice to the generality of subsection (1), a council may have regard to any material change in circumstances that has occurred since the consent was granted.

(3) The power conferred by this section to revoke or modify consent under a tree preservation order may be exercised at any time before the operations for which consent has been given have been completed, but any such revocation or modification shall not affect so much of those operations as has been carried out.

(4) Where the council makes an order under this section it must serve a notice on-

- (a) the person who applied for the consent;
- (b) the owner and occupier of the land affected; and
- (c) any other person who, in its opinion, would be affected by the order.

(5) An order made under this section shall take effect on the day after that on which the council complies with the requirements of subsection (4)



**Causeway  
Coast & Glens  
Borough Council**

**Tree Preservation Order (TPO)  
Lands adjacent to 1, 3, 5, 7, 9, 11 & 34 Cranagh View Road,  
Coleraine**



**Map A**

**23rd October 2025**



**Tree Preservation Order Boundary**

0 10 20 Metres

© Crown Copyright and database rights. CS & LA 156

## **Appendix 1: Provisional TPO Notice and Map**

### **THE PLANNING ACT (NORTHERN IRELAND) 2011 THE PLANNING (TREES) REGULATIONS (NORTHERN IRELAND) 2015**

#### **TREE PRESERVATION ORDER**

##### **Lands Adjacent to Nos. 1, 3, 5, 7, 9,11 & 34 Cranagh View Road, Coleraine**

Causeway Coast and Glens Borough Council (in this Order called "the Council") in exercise of the powers conferred upon it by sections 122, 123 and 183(1) of the Planning Act (Northern Ireland) 2011(a) makes the following order:

No person shall, except with the consent of the Council and in accordance with the conditions, if any, imposed on such consent, cut down, uproot, top, lop, wilfully damage or wilfully destroy or cause or permit the cutting down, uprooting, topping, lopping, wilful damage or wilful destruction of any tree specified in Schedule 1 or comprised in a group of trees or in a woodland specified in that Schedule. the position of which trees, groups of trees or woodlands is defined in the manner indicated in Schedule 1 on the annexed maps which maps shall for the purpose of such definition prevail where any ambiguity arises between them and the specification in Schedule 1.

The Council directs that section 123 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on **23<sup>rd</sup> October 2025**.

The Order is subject to the provisions of Schedule 2 and to the exemptions specified in Schedule 3.

Authorised by the Council to sign in that behalf on

---

Authorised Officer

On behalf of: Causeway Coast and Glens Borough Council Planning Manager

#### **SCHEDULE 1**

*All those trees contained within the area outlined in red on the attached Map A.*

## **SCHEDULE 2**

### **Application of provisions of the Planning Act (Northern Ireland) 2011**

1.-(1) The provisions of sections 40, 58, 59, 60, 68, of the 2011 Act specified in column 1 of Part 1 of Schedule 4 of this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column 2.

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part 2 of that Schedule.

### **Compensation**

2. Subject to the provisions of this Order any person who has suffered loss or damage in consequence of—

- (a) any refusal of consent to cut down, uproot, top or lop a tree which is the subject of a tree preservation order; or
- (b) the granting of any such consent subject to conditions,

shall if they make a claim to the council within the time and in the manner prescribed by paragraph 5 be entitled subject to such exceptions as may be prescribed to recover from the council compensation in respect of such loss or damage.

3. No claim may be made under this Order if the amount in respect of which the claim would otherwise have been made is less than £500.

4. No compensation shall be payable to a person:

- (a) for loss of development value or other diminution in the value of the land;
- (b) for loss or damage which, having regard to the statement of reasons as set out in paragraph (5)(1) and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when the consent was refused or was granted subject to conditions; or
- (c) for loss or damage reasonably foreseeable by that person and attributable to his or her failure to take reasonable steps to avert the loss or damage or to mitigate its extent.

5.-(1) A claim for compensation shall be in writing, stating the reasons for that claim and shall be made by serving it on the council.

(2) The time within which any such claim shall be made shall be a period of six months from the date of the decision of the council, or where an appeal has been made to the planning appeals commission against the decision of the council from the date of the decision of the commission on the appeal.

6. The Lands Tribunal shall determine any question of disputed compensation.

NOTE: Any person who, in contravention of the provisions of this Order cuts down, uproots or wilfully destroys a tree, or wilfully damages, tops or lops a tree in such a manner as to be likely to destroy it is guilty of an offence under section 126 (penalties for contravention of tree preservation orders) of the Planning Act (Northern Ireland) 2011 and liable on summary conviction to a fine not exceeding £100,000; and on conviction on indictment, to a fine. In determining the amount of fine to be imposed on a person convicted of such an offence the court must in particular have regard to any financial benefit which has accrued or appears likely to accrue to that person in consequence of the offence.

Any person who contravenes the provisions of this Order otherwise than as mentioned above, shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

## SCHEDULE 3

This Order shall not apply to require the consent of the council to:

1. The cutting down, uprooting, topping or lopping of a tree exempted from the provisions of this Order by section 122(5) of the Planning Act (Northern Ireland) 2011 namely a tree which is dead or has become dangerous, or the cutting down, uprooting, topping or lopping of which is in compliance with obligations imposed by or under any statutory provision or so far as may be necessary for the prevention or abatement of a nuisance.

2. The cutting down, uprooting, topping or lopping of a tree—

- (a) in pursuance of the power conferred on the operator by virtue of section 106 of the Communications Act 2003(a) and paragraph 19 of Schedule 2 to the Telecommunications Act 1984(b);
- (b) by a statutory undertaker (defined as such by Section 250 of the Planning Act (Northern Ireland) 2011), where the land on which the tree is situated is operational land (as defined in the Planning (General Permitted Development) Order (Northern Ireland) 2015(c)) of the statutory undertaker and the work is necessary—
  - (i) in the interests of the safe operation of the undertaking;
  - (ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or
  - (iii) to enable the statutory undertaker, to carry out development permitted by or under the Planning (General Permitted Development) Order (Northern Ireland) 2015;
- (c) where required for the purpose of carrying out development authorised by planning permission granted (other than an outline planning permission) on an application made under Part 3 of the Planning Act (Northern Ireland) 2011;
- (d) which is a fruit tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;
- (e) where required to enable the implementation of an order made under Articles 4(1), 5(1), 6, 14(1), 15(1), 18(1) and 68(1) of the Roads (Northern Ireland) Order 1993(d) or
- (f) where that work is urgently necessary for national security purposes.

3. The pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit

---

(a) 2003 c. 21

(b) 1984 c. 12

(c) S R. 2015 no.70

(d) 1993 No. 3160 (N.1 15)



## SCHEDULE 4 PART 1

Adaptation of sections 40, 58, 59, 60 and 68 of the Planning Act (Northern Ireland)  
2011

---

Column 1: Provision of the 2011 Act	Column 2: Adaptation or Modification
-------------------------------------	--------------------------------------

---

Section 40	Substitute this section with- "Application for consent to cut down, uproot, top or lop trees 40.(1) An application for consent made to the council shall be in writing containing a statement of reasons for making the application, and specifying, by reference if necessary to a map, the trees or woodland to which the application relates and the operations for which consent is required. (2) The council may grant consent to an application either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree or trees) as the council may think fit, or may refuse consent."
Section 58(1)	Omit "-" and "(a)" For the words "planning permission to develop land" substitute "consent under a tree preservation order". Omit paragraphs (b) and (c). For the words "permission, consent, agreement or approval" substitute "consent".
Section 58(2)	Omit.
Section 58(3)	For the number "(3)" substitute "(2)".
Section 58(4)	For the number "(4)" substitute "(3)". Omit the words ",subject to subsections (5) to (7),".
Section 58(5)	Substitute this subsection with— "(4) Where an appeal is brought under this section, the commission must afford both the appellant and the council the opportunity of— (a) appearing before and being heard by the commission; or (b) submitting to the commission a written statement within such period and in respect of such matters as the commission may specify to them by notice in writing."
Section 58(6)	For the number "(6)" substitute "(5)".
Section 58(7)	Omit.
Section 59(1)	Omit the words "or as the case may be, the Department".
Section 60	After the words "section 58(1)" insert the words "as applied and modified by the Planning (Trees) Regulations (Northern Ireland) 2015".

	Omit the words "either—", "(a)", and "; or" in paragraph (a).
	Omit paragraph (b).
	Omit paragraph (c).
	For subparagraphs "(i)" and "(ii)" substitute "(a)" and "(b)" and for the words "permission, consent, agreement or approval" substitute "consent".
Section 68	In the title omit the words "planning permission" and substitute "consent under a tree preservation order". Substitute the section with the following- "(1) If it appears to a council that it is expedient to revoke or modify any consent under a tree preservation order, the council may, subject to subsections (3), (4) and (5) by order revoke or modify the consent to such extent as it considers expedient. (2) Without prejudice to the generality of subsection (1), a council may regard to any material change in circumstances that has occurred since consent was granted. (3) The power conferred by this section to revoke or modify consent under a tree preservation order maybe exercised at any time before operations for which consent has been given have been completed, any such revocation or modification shall not affect so much of operations as has been carried out. (4) Where the council makes an order under this section it must serve a notice on- (a) the person who applied for the consent; (b) the owner and occupier of the land affected; and (c) any other person who, in its opinion, would be affected by order. (5) An order under this section shall take effect on the day after that on which the council complies with the requirements of subsection (4)."
have the	
the but those	
the	

## PART 2

### Sections 40, 58, 59, 60 & 68 of the Planning Act (Northern Ireland) 2011 as adapted or modified

#### Application for consent to cut down, uproot, top or lop trees

**40.**-(1 ) An application for consent made to the council shall be in writing containing a statement of reasons for making the application, and specifying, by reference if necessary to a map, the trees or woodland to which the application relates and the operations for which consent is required.

(2) The council may grant consent to an application either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree or trees) as the council may think fit, or may refuse consent.

#### Appeals

**58.-( 1 )** Where an application is made to a council for consent under a tree preservation order then if that consent is refused or is granted subject to conditions, the applicant may by notice in writing appeal to the planning appeals commission.

(2) Any notice under this section must be served on the planning appeals commission within 4 months from the date of notification of the decision to which it relates or such other period as may be specified by development order.

(3) Where an appeal is brought under this section from a decision of a council, the planning appeals commission may allow or dismiss the appeal or may reverse or vary any part of the decision whether the appeal relates to that part thereof or not and may deal with the application as if it had been made to it in the first instance.

(4) Where an appeal is brought under this section, the commission must afford both the appellant and the council the opportunity of—

- (a) appearing before and being heard by the commission; or
- (b) submitting to the commission a written statement within such period and in respect of such matters as the commission may specify to them by notice in writing.

(5) If at any time before or during the determination of an appeal under this section it appears to the planning appeals commission that the appellant is responsible for undue delay in the progress of the appeal, it may—

- (a) give the appellant notice that the appeal will be dismissed unless the appellant takes, within the period specified in the notice, such steps as are specified in the notice for the expedition of the appeal; and
- (b) if the appellant fails to take those steps within that period, dismiss the appeal accordingly.

#### **Matters which may be raised in an appeal under section 58**

**59.-(1 )** In an appeal under section 58, a party to the proceedings is not to raise any matter which was not before the council at the time the decision appealed against was made unless that party can demonstrate to the satisfaction of the planning appeals commission—

- (a) that the matter could not have been raised before that time, or
- (b) that its not being raised before that time was a consequence of exceptional circumstances.

(2) Nothing in subsection (1) affects any requirement or entitlement to have regard to—

- (a) the provisions of the local development plan, or
- (11) any other material consideration.

#### **Appeal against failure to take planning decision**

**60.** Where any such application as is mentioned in section 58(1) as applied and modified by the Planning (Trees) Regulations (Northern Ireland) 2015 is made to a council, then unless within such period as may be specified by a development order, or within such extended period as may be agreed upon in writing between the applicant and the council, the council gives notice to the applicant of its decision on the application, section 58 shall apply in relation to the application—

- (a) as if the consent to which it relates had been refused by the council; and
- (b) as if notification of the council's decision had been received by the applicant at the end of the period so specified, or at the end of the said extended period, as the case may be.

#### **Revocation or modification of consent under a tree preservation order by council**

**68.-( 1 )** If it appears to a council that it is expedient to revoke or modify any consent under a tree preservation order, the council may, subject to subsections (3), (4) and (5) by order revoke or modify the consent to such extent as it considers expedient.

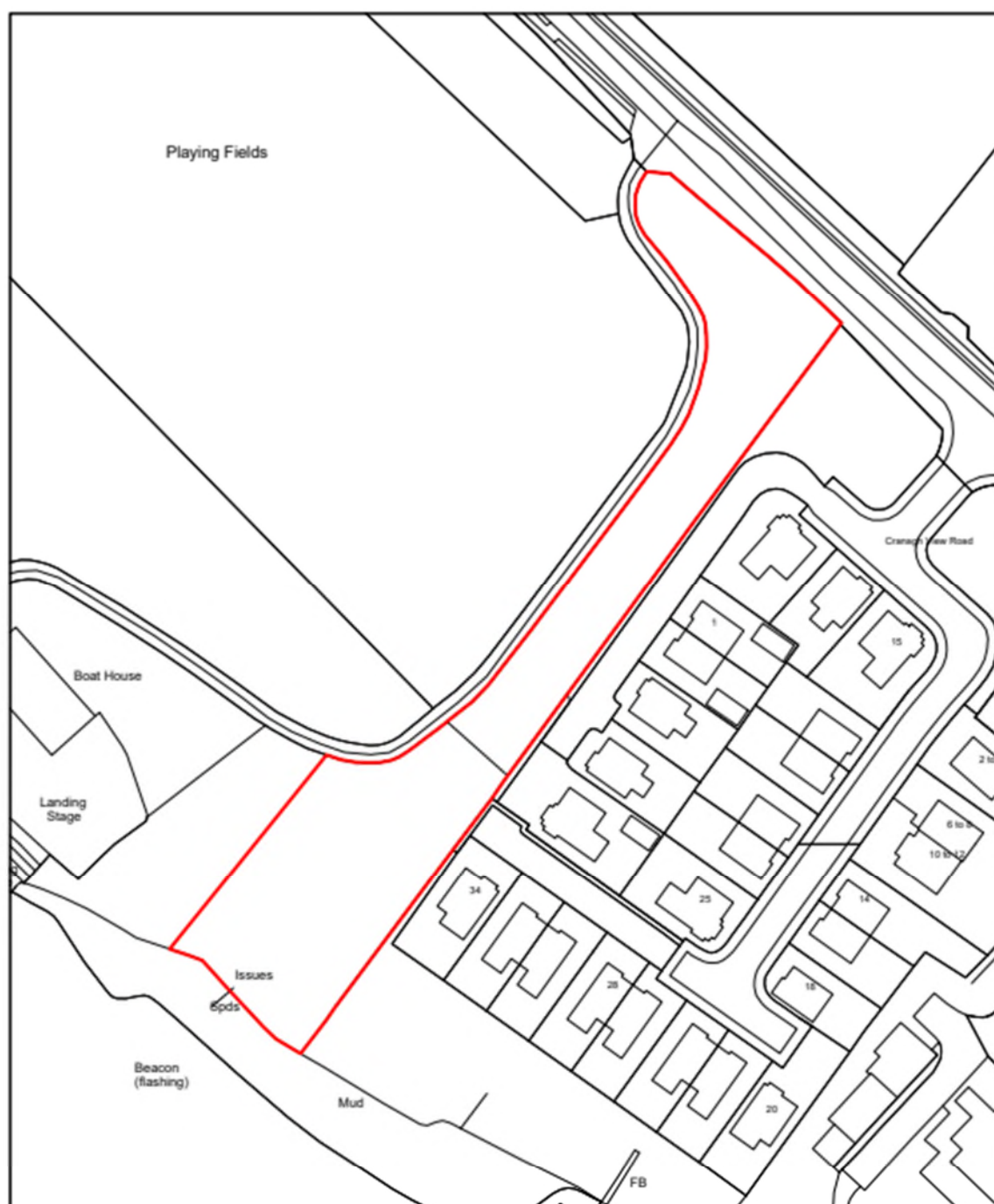
(2) Without prejudice to the generality of subsection (1), a council may have regard to any material change in circumstances that has occurred since the consent was granted.

(3) The power conferred by this section to revoke or modify consent under a tree preservation order may be exercised at any time before the operations for which consent has been given have been completed, but any such revocation or modification shall not affect so much of those operations as has been carried out.

(4) Where the council makes an order under this section it must serve a notice on-

- (a) the person who applied for the consent;
- (b) the owner and occupier of the land affected; and
- (c) any other person who, in its opinion, would be affected by the order.

(5) An order made under this section shall take effect on the day after that on which the council complies with the requirements of subsection (4)



**Causeway  
Coast & Glens  
Borough Council**

**Tree Preservation Order (TPO)  
Lands adjacent to 1, 3, 5, 7, 9, 11 & 34 Cranagh View Road,  
Coleraine**



**Map A**

**23rd October 2025**



**Tree Preservation Order Boundary**

0 10 20 Metres



© Crown Copyright and database rights. CS & LA 156



SEPTEMBER 29, 2025

## TREE SURVEY REPORT

Lands At nos. 72-74 Portstewart Road Coleraine—Causeway Coast  
and Glens Borough Council

ANDREW BOE BSC (HONS) MARBORA  
INDEPENDENT ARBORICULTURAL CONSULTANT  
Tel: / Email:

## Table of Contents

Lands At nos. 72-74 Portstewart Road Coleraine—Causeway Coast and Glens Borough Council .....	0
Ref: <b>Lands At nos. 72-74 Portstewart Road Coleraine</b> .....	2
Survey details.....	2
Tree details.....	2
BS5837 Category .....	2
Trees suitable for retention .....	3
Recommendations .....	3
Photographic Record .....	4
Appendix 1. ....	5
Bibliography .....	6
Tree survey Schedule Key. ....	7

## Ref: Lands At nos. 72-74 Portstewart Road Coleraine

### Survey details

This tree survey report was requested by Causeway Coast and Glens Borough Council and concerns the tree population growing around the above site.

All information proved to the author of this report is assumed to be accurate.

The scope of this report is to complete a BS5837 2012 specification tree survey of the trees and suggest recommendations for any tree management required.

The survey was carried out using Visual Tree Assessment (VTA) methodologies from ground level only. No below ground, invasive or destructive tests were undertaken. No soil / root samples were taken for analysis.

Weather conditions during the survey were dry with a light wind.

Due to the changing nature of trees and other site circumstances this report and any recommendations made are limited to a 1-year period. Any alteration to the subject site, trees or any development could change the current circumstances and may invalidate this report and any recommendations made.

The report is valid only for normal weather conditions. Healthy trees or parts of healthy trees may fail in normal weather situations although the risk is significantly increased in storm conditions and as the consequences of such weather phenomena are unforeseeable the tree surveyor cannot be held liable for any such failures.

Any alteration or deletion from this report shall invalidate it as a whole.

### Tree details

All found are Poplar species growing in a row on the West boundary. Any other trees have been removed from the original TPO site.

There are a number of other properties of separate ownership bordering the site.

### BS5837 Category

Trees have been assigned a BS5837 category to provide an additional layer of information. A brief summary of each category can be found below.

C- Trees in this category include unremarkable trees of limited merit, small-growing, young species which have a relatively low potential amenity value, and low landscape benefits.



U- Trees assigned to this category are in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years and/or are unsuitable for retention in the proximity of new dwellings or areas of public open space.

B- Trees assigned to this category include healthy attractive trees with remediable defects that are in a condition as to be able to make a significant contribution for a minimum of 20 years.

See Appendix 1 for full definitions of each category.

## Trees suitable for retention

Where possible, it is generally considered desirable for Category 'A' and Category 'B' trees to be retained. Category 'U' trees are not considered to be appropriate for retention.

Other factors worth consideration in long term management include:-

- Shading
- Future Pressure for Tree Removal and Pruning
- Seasonal Nuisance
- Infrastructure
- Direct Damage
- Root Protection Areas
- Future Management
- Demolition/Ground Works
- Construction Activity

## Recommendations

All recommendations are as per the survey schedule below. Recommendations are based on the site at present and may change as its usage develops.

Andrew Boe *BSc (Hons) MArborA*

## Photographic Record







Photograph 1.



Photograph 2.

## Appendix 1.

**BS5837:2012 Table 1 – Cascade chart for tree quality assessment**

Category and definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention (see Note)				
<b>Category U</b> Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<ul style="list-style-type: none"><li>Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning)</li><li>Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline</li><li>Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality</li></ul> <p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see [BS5837:2012] 4.5.7.</i></p>			
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation	
Trees to be considered for retention				
<b>Category A</b> <b>Trees of high quality</b> with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	
<b>Category B</b> <b>Trees of moderate quality</b> with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value	
<b>Category C</b> <b>Trees of low quality</b> with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value	

## Bibliography

### Web Information & Bibliography Web Information

#### Health and Safety

Executive - [http://www.hse.gov.uk/foi/internalops/sims/ag\\_food/010705.htm](http://www.hse.gov.uk/foi/internalops/sims/ag_food/010705.htm)

Arboricultural Association – <http://www.trees.org.uk/index.php> Bibliography

- British Standards 3998 (2010) Tree Work - Recommendations UK; British Standards Intuition
- British Standards 5837 (2012) Trees in relation to design, demolition and construction. Recommendations; British Standards Intuition
- Lonsdale, D (1999) Principle of Tree Hazard Assessment and Management Edinburgh; Forestry Commission
- Mattheck, C (2007) Field Guide for Visual Tree Assessment Germany; Karlsruhe Research Centre
- Shigo, A.L (1991) Modern Arboriculture USA; Shigo and Trees, Association
- Sterry, P (2007) Collins Complete British Trees London; Collins
- Strouts, R.G (2000) Diagnosis of ill-health in trees Edinburgh; Forestry Commission
- Weber, K & Mattheck, C (2003) Manual of wood decay UK; Arboricultural Association



## Tree survey Schedule Key.

The following information is collected for each tree.

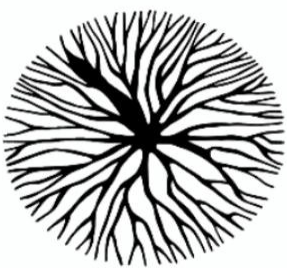
- Sequential reference number;
- Structure;
- Species;
- Height in M;
- Stem diameter in mm;
- Branch spread in Metres.
- Life stage;
  - Y – Young,
  - SM – Semi Mature,
  - EM – Early Mature,
  - M – Mature,
  - OM – Over Mature
- Estimated remaining contribution in years.
- General observations, particularly of structural and/or physiological condition.
- Category 'U' or 'A' to 'C' grading with the subcategory 1, 2 or 3 reflecting arboricultural, landscape or cultural values, respectively. See Appendix 1.
- RPA. Root Protection radius in M and Root Protection Area in sqm
- Recommendations for tree work.

# TPO Report

Causeway Coast and Glen's Borough Council  
Lands At nos. 72-74 Portstewart Road

Retention Category	No. trees
B	43

Rem. Contrib.	No. trees
20+ Years	43



Andrew Boe BSc.(Hons) MArborA

Independent Arboricultural Consultant

Email : [Ajboe@hotmail.co.uk](mailto:Ajboe@hotmail.co.uk)

Tel : 07834895556

Web: [www.treesurveyni.co.uk](http://www.treesurveyni.co.uk)

Total	43
-------	----

-BS5837 Tree Surveys, Tree Constraints Plans-  
-Arboricultural Impact Assessments  
-Arboricultural Method Statements Tree Protection Plans-  
-Arboricultural Supervision and Site Monitoring-  
-Mortgage Tree Report-



Ref.	Species	Full Structure	Measurements	Survey Notes	Retention Category	RPA	TPO	Measurements2	Recommendations
T001	Poplar x43 (Populus sp.)	Group 43 trees	Height (m): 18 43 stems, avg.(mm): 600 Spread (m): 5N, 5E, 5S, 5W Crown Clearance (m): 2 Lowest Branch (m): 2(S) Life Stage: Mature Rem. Contrib.: 20+ Years	Planted row of trees runing North to South. Majority are single stemmed. Evidence of torm damage. Overhanging road and privyae properties in places. Minor deadwood. Overall fair.	B1	Area: 2343 sq m.	Yes	Other Reference: Physiological Cond: Fair Structural Cond: Fair	Crown reduce by 4m.

