



North Tyneside Council

Planning Committee

Wednesday, 28 February 2024

Thursday, 7 March 2024 Room 0.02, Quadrant, The Silverlink North, Cobalt Business Park, NE27 0BY **commencing at 6.00 pm.**

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1. **Apologies for absence**

To receive apologies for absence from the meeting.

2. **Appointment of substitutes**

To be informed of the appointment of any substitute members for the meeting.

3. **Declarations of Interest**

You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.

You are also requested to complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.

You are also invited to disclose any dispensation from the requirement to declare any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.

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To confirm the minutes of the previous meetings held on 12 December 2023, 19 December 2023, 11 January 2024 and 23 January 2024.	
5. Planning Officer Reports	33 – 38
To receive the attached guidance to members in determining planning applications and to give consideration to the planning applications listed in the following agenda items.	
6. 22/01835/FUL – Village Green Surgery, Wallsend	39 – 80
To determine a full planning application from Village Green Surgery for a proposed single storey extension to existing doctors surgery forming 3no consulting rooms including alterations to the existing car park and installation of cycle hoops.	
7. 24/00041/FUL – 15 High Street West, Wallsend	81 – 96
To determine a full planning application from LOL Entertainment Ltd for the change of use from Retail to Bingo Lounge (sui generis).	
8. 13 Queens Road, Whitley Bay – Tree Preservation Order 2023	97 – 116
To give consideration as to whether the Tree Preservation Order for a single hawthorn tree at 13 Queens Road, Whitley Bay be confirmed having taken account of the representations received.	

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9. **Bird Street / Walker Place, North Shields – Tree Preservation Order 2023** 117 – 166

To give consideration as to whether the Tree Preservation Order at Bird Street / Walker Place, North Shields be confirmed having taken account of the representations received.

Circulation overleaf ...

Members of the Planning Committee

Councillor Willie Samuel (Chair)

Councillor Steve Cox

Councillor Tracy Hallway

Councillor Jim Montague

Councillor John O'Shea

Councillor Cath Davis

Councillor Julie Cruddas (Deputy Chair)

Councillor Ian Grayson

Councillor Chris Johnston

Councillor Pat Oliver

Councillor Matthew Thirlaway

Planning Committee

Tuesday, 12 December 2023

Present: Councillor W Samuel (Chair)
Councillors J Cruddas, S Cox, I Grayson, T Hallway,
C Johnston, P Oliver and J O'Shea

Apologies: Councillors C Davis, J Montague, and M Thirlaway

PQ48/23 Appointment of substitutes

There were no Substitute Members reported.

PQ49/23 Declarations of Interest

There were no declarations of interest or dispensations reported.

PQ50/23 Minutes

Resolved that the minutes of the meeting held on 14 November 2023 be confirmed and signed by the Chair.

PQ51/23 Planning Officer Reports

The Committee received guidance in relation to the principles of decision making when determining planning applications and then gave consideration to the planning applications listed in the following minutes.

PQ52/23 Land at Newsteads Drive, Whitley Bay, Tyne and Wear

The Committee considered a report from the planning officers together with an addendum circulated in advance of the meeting, in relation to a full planning application submitted by Argon Properties Development Solutions for the construction of a new medical centre with associated access and landscaping works to the east of Newsteads Drive, Whitley Bay to replace the existing Beaumont Park Medical Centre at Hepscott Drive, Whitley Bay.

The planning officer presented details of the application with the aid of various maps, plans and photographs.

In accordance with the Committee's Speaking Rights Scheme Phil Hollis was permitted to address the Committee in relation to Mr Gorman's representations. He made reference to the local plan policies aimed at protecting the wildlife corridor, land title restrictions, public health guidance in relation to the health and wellbeing of residents, issues around traffic, parking and pedestrian safety. He also referred to the need for an assessment to be undertaken of the risks associated with coal authority workings under the site. In addition he also questioned the assertion that there was only one suitable site for the development which happened to be on a green field site. He also explained that he considered that the residents' group should be involved in the development of any S106 agreement.

Mr Hollis responded to members questions in relation to suitable alternative sites in the area.

Jen Patterson was permitted to address the committee on behalf of the applicant. She was accompanied by Dr Rebecca Keogh from the Beaumont Park Medical Practice. Ms Patterson explained that the development would only use about 16% of the green space and that there were no other sites in the area which would meet the needs of the practice and allow the practice to grow to meet the needs of the community. It was explained that primary care was changing and the practice needed to adapt to the new ways of working. Reference was made to the provision of a teaching service being located at the new practice. Ms Patterson and Dr Keogh responded to members questions in relation to the age of the existing medical centre. It was explained that the need for a larger premises was a material planning consideration and the existing rooms at the

centre did not meet the current NHS guidelines.

Members of the Committee asked questions of the officers and made comments. In doing so the Committee gave particular consideration to:

- a) the modelling of the traffic movements to and from the site;
- b) the number of children who would be crossing the roads near to the site;
- c) the location of the entrances to the nearby supermarket in relation to the development;
- d) the loss of the public open space and the impact that this would have on residential amenity;
- e) the proposed improvements to the remaining open space.

The Chair proposed acceptance of the planning officer's recommendation.

On being put to the vote, 5 members voted for the recommendation and 2 voted against the recommendation.

Resolved that:

The Committee indicated that it is minded to grant the application; and
The Director of Regeneration and Economic Development be authorised to issue a notice of grant of planning permission subject to:

The conditions set out in the planning officer's report and any subsequent addenda and the addition, omission or amendment of any other conditions considered necessary by the Director of Regeneration and Economic Development; and

Completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 to secure a financial contribution for the following:

A financial contribution of £41, 240 towards the management of off-site net gain habitats.

(Reasons for the Decision: The Committee concluded that having regard to the relevant policies contained in the Local Plan 2017 and the National Planning Policy Framework the proposed development was acceptable in terms of the principle of development and the design and layout of the proposed medical centre. The development would provide significant public benefit in meeting the health needs of the community and would not adversely affect the privacy and amenity of surrounding properties)

(Councillor Oliver entered the meeting at the conclusion of this item)

PQ53/23 The Redburn, Wallsend Road, North Shields, Tyne and Wear

The Committee considered a report from the planning officers, together with an addendum circulated in advance of the meeting, in relation to a full planning application from Mr A Rezaei for the erection of a fuel filling station, convenience store, canopy, petrol pumps, with associated access and car parking at the Redburn, Wallsend Road, North Shields.

A planning officer presented details of the application with the aid of various maps, plans and photographs.

In accordance with the Committee's Speaking Rights Scheme Mr Singh addressed the Committee in relation to his concerns about the application. He explained that there was currently a lot of anti-social behaviour in the area and he did not consider that there was a need for a further off licence. He also explained that there were already 5 petrol stations in the area. He considered that the traffic surveys used for the report were not a true record as at the time they were taken the schools were closed and the buses were on strike.

Councillor R O'Keefe addressed the Committee. She explained that the development would create a five-armed roundabout and that on occasions traffic was backed up to the tunnel. She also explained that a petrol station would increase the volume of traffic in the area and that due to the location access to the petrol station would be difficult. The increase in traffic would impact on residents getting to work as there were already problems in the area. She referred to the station potentially attracting anti-social behaviour to the area, especially as it was proposed that the station would be open 24 hours per day.

Mr Rezaei, the applicant, was permitted to address the Committee in support of the application. He explained that the previous public house on the site was more likely to lead to anti-social behaviour than a petrol station and convenience store. He also explained that between 11pm and 7am all sales would be made via a window and that no one would be allowed into the shop. He suggested that the traffic survey would have recorded more traffic due to the bus strike and not less

as had been suggested.

Members of the Committee asked questions of the speakers and officers and made comments. In doing so the Committee gave particular consideration to:

- a) the modelling of the traffic movements to and from the site;
- b) the proposed actions taken to reduce the risk of anti-social behaviour in the area;
- c) Conditions to reduce issues in relation to noise and odours from the development;

The Chair proposed acceptance of the planning officer's recommendation.

On being put to the vote, 8 members voted for the recommendation and 0 voted against the recommendation.

Resolved that the application be permitted

(Reasons for the Decision: The Committee concluded that having regard to the relevant policies contained in the Local Plan 2017 and the National Planning Policy Framework the proposed development was acceptable in terms of the principle of development and its impact on the character and appearance of the area. The impact on nearby residents, the street scene and the highway network was also considered acceptable.)

PQ54/23 116 Woodbine Avenue, Wallsend, Tyne and Wear

The Committee considered a report from the planning officers in relation to a full planning application from Mr Taylor for a proposed change of use from dwelling apartment to 7 bed HMO including 1no. rooflight to front and 1no. rooflight to rear at 116 Woodbine Avenue, Wallsend.

A planning officer presented details of the application with the aid of various maps, plans and photographs.

In accordance with the Committee's speaking rights scheme Ms A Wright addressed the committee in relation to her objection to the application. She

referred to the lack of sufficient refuse receptacles for the number of people who would be in the premises, that there was insufficient car parking in the area and the increase in the number of residents with cars could result in pavements being blocked by parked vehicles.

Councillor L Marshall addressed the Committee. She explained that the proposed development would lead to overlooking and loss of privacy for existing residents, there would be parking issues with possibly 7 extra vehicles requiring spaces. There would be additional traffic due to deliveries to the premises. She also referred to the lack of soundproofing which would lead to noise and disturbance for the existing residents. She questioned whether the proposed development would meet room size regulations and stated that it did not meet local planning policy and the Wallsend Master Plan.

Mr Taylor addressed the Committee in support of the application. He explained that he had been granted a HMO Licence for the premises which meant that the premises met the required standards. He also explained that single people were less likely to be housed by the Council. He disputed that the property provided low quality accommodation as it met the standards for a HMO.

Members of the Committee asked questions of the speakers and officers and made comments. In doing so the Committee gave particular consideration to:

- a) the information provided by the police in relation to crimes associated with such premises;
- b) Whether the application demonstrated compliance with the Wallsend Master Plan in relation to the improvement of the housing stock;
- c) that 50% of HMO's in the Borough were located in Wallsend;
- d) The density of 1 and 2 bed properties in the area;
- e) Concerns in relation to overlooking and privacy;
- f) The impact of the development on the community and surrounding area.

The Chair proposed acceptance of the planning officer recommendation that the Committee was minded to grant the application.

On being put to the vote 4 councillors voted for the recommendation and 4 councillors voted against the recommendation. The Chair then used his casting vote against the recommendation.

Resolved that the application be rejected on the grounds that the proposal for an HMO with limited rooms sizes is contrary to the Wallsend Masterplan which seeks to create a more sustainable community through providing larger, family homes and improving the quality of housing offer in Wallsend.

(Reason for the Decision: The Committee considered that the application did not improve the quality of the housing offer in the area and did not add to the creation of a sustainable community.)

PQ55/23 66 George Road, Wallsend, Tyne and Wear

Consideration of this application was deferred to a future meeting.

PQ56/23 102 Laurel Street, Wallsend, Tyne and Wear

Consideration of this application was deferred to a future meeting.

PQ57/23 245-247 Station Road, Wallsend, Tyne and Wear

Consideration of this application was deferred to a future meeting.

**PQ58/23 Land to the South of the former Deuchars, 5 Backworth Lane,
Backworth - Tree Preservation Order**

Consideration of this item was deferred to a future meeting.

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Planning Committee

Tuesday, 19 December 2023

Present: Councillor W Samuel (Chair)
Councillors J Cruddas, S Cox, C Johnston, P Oliver,
J O'Shea, A Spowart and M Thirlaway

Apologies: Councillors C Davis, I Grayson, T Hallway and
J Montague

PQ59/23 Appointment of substitutes

Pursuant to the Council's Constitution the appointment of the following substitute member was reported:

Councillor A Spowart for Councillor J Montague

PQ60/23 Declarations of Interest

There were no declarations of interest or dispensations reported.

PQ61/23 Planning Officer Reports

The Committee received guidance in relation to the principles of decision making when determining planning applications and then gave consideration to the planning applications listed in the following minute.

PQ62/23 20/01435/FUL Land at Killingworth Moor, Killingworth Lane, Killingworth, Newcastle upon Tyne

The planning officer advised the Committee that the National Planning Policy Framework (NPPF) had been revised on the afternoon of the 19 December 2023 and the revision included changes to housing and other policies important to the

determination of the application. In view of the timescale of the publication of the changes to the NPPF it had not been possible for officers to undertake a review of the changes to national policy and update the report to the Committee alongside any changes to the officer recommendation to the Committee. The item was therefore withdrawn.

Resolved that the withdrawal of the report be noted.

(Reason for Decision: The late receipt of changes to the National Planning Policy Framework may affect the decision making in relation to the application and it was considered prudent to defer consideration of the application so that any implications of the changes could be brought to the attention of the Committee in advance of its consideration of the application.)

Planning Committee

Thursday, 11 January 2024

Present: Councillor W Samuel (Chair)
Councillors C Davis, J Cruddas, S Cox, I Grayson,
T Hallway, C Johnston, J Montague, T Mulvenna,
J O'Shea and A Spowart

Apologies: Councillors P Oliver and M Thirlaway

PQ63/23 Appointment of Substitutes

Pursuant to the Council's Constitution the appointment of the following substitute members were reported:

Councillor T Mulvenna for Councillor M Thirlaway
Councillor A Spowart for Councillor P Oliver

PQ64/23 Declarations of Interest

There were no declarations of interest or dispensations reported.

PQ65/23 Planning Officer Reports

The Committee received guidance in relation to the principles of decision making when determining planning applications and then gave consideration to the planning applications listed in the following minutes.

**PQ66/23 20/01435/FUL Land at Killingworth Moor, Killingworth Lane,
Killingworth, Newcastle upon Tyne**

The Committee considered a report from the planning officers together with an addendum circulated in advance of the meeting, in relation to a full planning application submitted by Bellway Homes Ltd (North East) and Banks Property Ltd for the phased construction of 539 residential dwellings with means of access, landscaping, open space, sustainable drainage, public rights of way diversion and associated infrastructure on land at Killingworth Moor, Killingworth Lane, Killingworth, Newcastle upon Tyne.

The planning officer presented details of the application with the aid of various maps, plans and photographs.

In the absence of Councillor Jamieson Mr S Bolton read out the statement which she would have given had she been able to attend the meeting. She made reference to the lack of supporting infrastructure and the failure to guarantee that the infrastructure would be put in place if the development was not completed. She also referred to concerns in relation to traffic and in particular the junction between Killingworth Road and Great Lime Road. She explained that traffic was already heavy on Great Lime Road and it was not unusual at peak times for traffic to have to queue for long periods. She also explained that the junction at Killingworth Road was already unsafe due to its layout. It was also close to a primary school and a large number of children crossed the road at that junction. She suggested that the application be deferred to allow a full assessment of the safety of the Killingworth Road/Great Lime Road/Station Road junctions to be carried out and plans put in place to provide a solution to the concerns raised.

In accordance with the Committee's Speaking Rights Scheme Mr S Bolton was permitted to address the Committee in relation to his representation. He referred to the masterplan and the need for the provision of 25% affordable housing on the site and the need for proper access roads to address police concerns in relation to rat running traffic. He suggested that the traffic assessment was flawed, that schools in the area were full and the infrastructure was failing. He questioned how 3000 new homes within a one-mile radius could be provided without the appropriate infrastructure being put in place. He referred to the loss of biodiversity and suggested that the flood risk had not been assessed correctly.

He also made reference to the large number of objections to the application. He also stated that, due to the layout of the site, there would be many properties overlooking his home, leading to a loss of privacy and amenity.

Mr A Baty also addressed the Committee in relation to his concerns about the application. He explained that he represented a number of residents of his street. He suggested that North Tyneside was currently over populated. He explained that the existing road network could not cope with the current traffic levels and he also referred to smells and poison from existing traffic levels. He suggested that the application should be refused or at least scaled down. He referred to existing villages being surrounded and there is a loss of green spaces for residents. He also suggested that future housing should be built on brownfield sites.

Ms S Taverner, representing the Killingworth Village Residents' Association, questioned whether the development was needed and, if so, why there was no affordable housing provided. She also referred to the arboricultural impact assessment which she said was up to 6 years out of date. Reference was also made to the existing traffic flows and bus gates. She also explained that the house space standards were not being met as some of the proposed bedrooms were not of sufficient size to be classed as a bedroom.

Mr C Allan also addressed the Committee. He referred to the additional traffic which would be generated by the development and suggested that the data provided a different picture of the impact, especially on the Killingworth/Great Lime Road junction. The additional traffic would also be responsible for an increase in air pollution. He also suggested that the development would result in increased congestion, noise and air pollution.

Ms S Manson of Pegasus Group, on behalf of the applicant, said that for the past 20 years Killingworth Moor had been a site identified for housing, it was allocated as housing land and the Authority has a housing supply shortfall. She suggested that the working population of the borough was decreasing due to the lack of housing to buy. It was explained that the development would deliver 15% affordable housing and all homes would be NPPF compliant.

Members of the Committee asked questions of the speakers and officers and made comments. In doing so the Committee gave particular consideration to:

- a) The viability of the site in relation to the provision of affordable housing and whether the viability assessment had been analysed by the authority;
- b) Traffic movements around the site and on the external highway;
- c) Transport assessments;
- d) Section 106 agreements;
- e) The infrastructure currently in place and further infrastructure needed;
- f) The status of the landscaping buffer zone; and
- g) The size of rooms within the development and whether they met the required standards.

It was moved and seconded that the Committee adjourn consideration of the application for 2 weeks to allow planning officers and the developers to explore the provision of 25% affordable housing.

On being put to the vote, 4 members voted for the recommendation and 7 voted against

The Chair then proposed acceptance of the planning officer's recommendation.

On being put to the vote, 7 members voted for the recommendation and 1 voted against the recommendation with 3 abstentions.

Resolved that:

The Committee indicated that it is minded to grant the application; and
The Director of Regeneration and Economic Development be authorised to issue a notice of grant of planning permission subject to:

The conditions set out in the planning officer's report and any subsequent addendums and the addition, omission or amendment of any other conditions considered necessary by the Director of Regeneration and Economic Development; and

Completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 to secure a financial contribution for the following:

- Primary education £932,250
- Equipped Playspace £194,579
- Ecology and biodiversity £105,105

- Sports pitch £173,828
- Built sports £214,269
- Employment and Training £126,880
- Sustainable transport £1,177,076
- Coastal mitigation £81,389. This contribution complies with the requirements derived from the Coastal Mitigation SPD.
- Travel Plan Sum £150,000. This complies with the requirements derived from the Transport and Highways SPD.
- £1,000 per year for travel plan monitoring until 5 years after final occupation in accordance with North Tyneside Travel Plan guidance.
- Asda Junction £72,500 towards upgrading this junction.
- Clousden Hill Junction - £196,000 towards upgrading this junction

The Head of Law and Monitoring Officer and the Director of Regeneration and Economic Development are authorised to undertake all necessary procedures (Section 278 Agreement) to secure the following highway improvements:

- Site Access – Great Lime Road
- Wheatsheaf roundabout

The Head of Law and Monitoring Officer be authorised to undertake all necessary procedures to obtain the diversion and extinguishment of existing rights of way and footpaths necessary to facilitate the development under Section 257 of the Town and Country Planning Act 1990.

(Reasons for decision: The Committee concluded that, having regard to the relevant policies contained in the Council's Local Plan 2017 and National Planning Policy Framework, the proposed development was acceptable in terms of the principle of development and its impact on the character and appearance of the area, residential amenity and highway safety.)

PQ67/23 19/01095/FULES Land off Killingworth Lane, Killingworth

The Committee considered a report from the planning officers together with the addenda circulated in advance of the meeting, in relation to a hybrid application submitted by Northumberland Estates comprising: full planning permission for the change of use of agricultural land and the development of 432 residential

dwellings (including affordable housing), highway improvements and associated infrastructure and engineering works, creation of a new access from the A19 Interchange, SUDS, landscaping and open space, and other ancillary works. Outline planning permission with all matters reserved except access for the change of use of agricultural land and development of 118 residential dwellings (including affordable housing), residential development of High Farm with 6 no. new dwellings, associated infrastructure and engineering works, landscaping and open space, and other ancillary works on land off Killingworth Lane, Killingworth, Newcastle upon Tyne.

The planning officer presented details of the application with the aid of various maps, plans and photographs.

In accordance with the Authority's speaking rights scheme Ms S Taverner was permitted to address the Committee on behalf of the Killingworth Village Residents' Association. She referred to the lack of affordable housing on the site and questioned the viability report that had been presented in respect of the application. She also explained that many of the properties described as 3 or 4 bed properties were actually 2 or 3 bed properties due to the very limited dimensions of the bedrooms. She also questioned the size of the buffer planting zone which she explained should be 50 metres wide and not around 45 metres as now indicated. Reference was also made to the issue of traffic and access to the site. She suggested that the infrastructure should be put in place before the construction of the houses. She concluded by stating that a number of minor adverse impacts could build up to become a major impact on local residents.

In accordance with the Authority's speaking rights scheme Mr G Munder (Northumberland Estates) was permitted to address the Committee on behalf of the applicant. He explained that the site had provided a lot of challenges and that the original plans for the road network had originally been costed at around £3M and following discussions with National Highways this had increased to around £12M which had created a strain on the viability of the development. He referred to the applicant providing highway improvements and money towards the provision of additional school places in the area, improved public transport, 10% affordable housing secured via a Section 106 agreement. He also explained that the development would provide 11% biodiversity net gain and the applicant had a history of delivering similar projects.

Members of the Committee asked questions of the speakers and officers and made comments. In doing so the Committee gave particular consideration to:

- a) The funding and timetable in relation to the provision of the access road and junction improvements required by National Highways;
- b) The changes to the provision of the 50 metre buffer zone;
- c) The timescales for the various parts of the development and how this impacted on the delivery of the infrastructure for the site;
- d) The provision of affordable housing on the site and how this was to be financed, including the use of Community Infrastructure Levy (CIL) funding.

The Chair then proposed acceptance of the planning officer's recommendation.

On being put to the vote, 9 members voted for the recommendation and 1 voted against the recommendation with 1 abstention.

Resolved that:

The Committee indicated that it is minded to grant the application; and The Director of Regeneration and Economic Development be authorised to issue a notice of grant of planning permission subject to:

The conditions set out in the planning officer's report and any subsequent addendums and the addition, omission or amendment of any other conditions considered necessary by the Director of Regeneration and Economic Development; and

Completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 to secure a financial contribution for the following:

- Primary education £933,900
- Sports Pitch £182,535
- Built Sports £225,002
- Sustainable transport £846,072
- Coastal mitigation £83,956. This contribution complies with the requirements derived from the Coastal Mitigation SPD
- Travel Plan Sum £154,568. This contribution complies with the requirements derived from the Transport and Highways SPD
- £1,000 per year for 5 years for travel plan monitoring after final occupation in accordance with North Tyneside Travel Plan guidance

The Head of Law and Monitoring Officer and the Director of Regeneration and Economic Development are authorised to undertake all necessary procedures (Section 278 Agreement) to secure the following highway improvement works:

- Site Access South
- Site Access North
- Killingworth Way, Northgate and Greenhills
- Killingworth Way and Station Road

The Head of Law and Monitoring Officer be authorised to undertake all necessary procedures to obtain the diversion and extinguishment of existing rights of way and footpaths necessary to facilitate the development under Section 257 of the Town and Country Planning Act 1990.

(Reasons for decision: The Committee concluded that, having regard to the relevant policies contained in the Council's Local Plan 2017 and National Planning Policy Framework, the proposed development was acceptable in terms of the principle of development and its impact on the character and appearance on the area, residential amenity and highway safety.)

Planning Committee

Tuesday, 23 January 2024

Present: Councillor W Samuel (Chair)
Councillors J Cruddas, S Cox, I Grayson,
C Johnston, J Montague, P Oliver, J O'Shea, C Davis
and A Spowart

Apologies: Councillors T Hallway and M Thirlaway

PQ68/23 Appointment of substitutes

Pursuant to the Council's Constitution the appointment of the following substitute members was reported:

Councillor A Spowart for Councillor M Thirlaway

PQ69/23 Declarations of Interest

Councillor J Cruddas stated that she had predetermined planning applications:

23/01410/FUL – 66 George Road, Wallsend

23/01371/FUL – 102 Laurel Street, Wallsend

23/01515/FUL – 245-247 Station Road, Wallsend

23/01577/FUL – 12 Coronation Street, Wallsend

and that she would leave the meeting following consideration of Item 6.

PQ70/23 Minutes

Resolved that it be noted the minutes of the Planning Committee meetings held on 12 December 2023, 19 December 2023 and 11 January 2024 be submitted to the next meeting of the Committee.

PQ71/23 Planning Officer Reports

The Committee received guidance in relation to the principles of decision making when determining planning applications and then gave consideration to the planning applications listed in the following minutes.

**PQ72/23 Land to the South of the former Deuchars, 5 Backworth Lane,
Backworth – Tree Preservation Order 2023**

The Committee considered whether to confirm the making of the Land to the South of the former Deuchars, 5 Backworth Lane, Backworth Tree Preservation Order 2023.

The Council had been notified of the intention to remove 5 sycamore trees to the rear of the former Deuchars, 5 Backworth Lane, Backworth. It was noted that one tree was in fact a willow tree.

In response, the Council had decided to make a Tree Preservation Order (TPO) to protect the four sycamore and one willow tree. Further, the TPO also included an adjacent sycamore tree that was considered worthy of protection. The TPO was served in July 2023.

Seven objections to the TPO had been received from neighbouring residents. The objections were on the grounds that:

- a) The trees should be removed due to damage to the boundary wall with Backworth Hall;
- b) The trees do not improve the visual amenity of the area;
- c) The trees negatively impact on light levels to neighbouring properties;
- d) The trees interfere with phone, TV and satellite signals;
- e) Tree debris is causing damage to vehicles; and
- f) The trees negatively impact upon mental health

The Committee considered the objections and the advice of the planning officers and the Council's Landscape Architect before deciding whether to:

- a) Confirm the TPO without modification;
- b) Confirm the TPO with modifications; or
- c) Not to confirm the TPO

The Chair proposed acceptance of the planning officer's recommendation as set out in the planning officers report.

On being put to the vote, 9 members of the Committee voted for the recommendation and none voted against with no abstentions

Resolved that the Land to the South of the former Deuchars, 5 Backworth Lane, Backworth Tree Preservation Order 2023 be confirmed without modification.

(Reasons for the decision: A Tree Preservation Order does not prevent the felling of trees, but it gives the Council control in order to protect trees which contribute to the general amenity of the surrounding area.)

Councillor J Cruddas left the meeting following conclusion of this item.

PQ73/23 23/01410/FUL 66 George Road, Wallsend, Tyne and Wear

The Committee considered a report from planning officers in relation to a full planning application from Mr Max Armstrong for the change of use from C3 Dwelling House to Sui Generis (HMO with 6+ bedrooms) – the current dwelling has 7 bedrooms and the application seeks permission to change the use of the building to a 8 bedroom HMO.

A planning officer presented details of the application with the aid of various maps, plans and photographs. The report also made reference to the planning history of the site.

In accordance with the Committee's Speaking Rights Scheme, Councillor Louise Marshall addressed the Committee on behalf of a number of residents in objection to the application.

Councillor Marshall explained the proposal will result in a loss of privacy for adjoining properties and there is a concern that proposed bedrooms could accommodate far more than eight single people. She also explained the proposal could result in an increased amount of vehicles in what is already an overcrowded street. She added that the proposed development does not contribute to section 8 of the National Planning Policy Framework in respect of promoting healthy and safe communities. Councillor Marshall made reference to the representations made by Northumbria Police and the potential for an increase in crimes and demand placed on the police should the application be approved. Councillor Marshall stated that the proposed development does not meet the priorities of the Wallsend Town Centre Masterplan as it would not

contribute to improve the quality of the housing offer in Wallsend.

In addressing the Committee Councillor Marshall explained that the concerns raised would also apply to the planning applications being considered in respect of 102 Laurel Street, Wallsend; 245-247 Station Road, Wallsend and 12 Coronation Street, Wallsend.

There were no questions put to Councillor Marshall.

On behalf of the applicant, Ms Casey Scott of DPP Planning, addressed the Committee to respond to the speakers comments. Ms Scott explained that the scale of the property currently accommodates 7 bedrooms and the application was for an HMO for 8 single residents. Miss Scott advised that the number of residents for the property would be controlled by condition on an approved planning permission and HMO licence. She explained that two of the rooms within the development would have en-suite bathroom facilities and the property is within walking distance of Wallsend Town Centre. She explained that the granting of the application would not result in HMOs becoming a dominant form of housing within the area.

There were no questions put to Ms Scott.

Members of the Committee asked questions of the officers and made comments. In doing so the Committee gave particular consideration to:

- The impact upon neighbours
- Parking
- Living conditions
- The number of rooms proposed
- The cumulative impact of HMOs
- Fear of crime
- The Wallsend Town Centre Masterplan
- North Tyneside Local Plan

The Chair proposed acceptance of the planning officer's recommendation.

On being put to the vote, 4 members voted for the recommendation and 4 voted against the recommendation.

The Chair used his casting vote and it was carried that the application be refused.

Resolved that planning permission be refused on the following grounds:

- 1) The proposal for an HMO does not provide good quality accommodation and living conditions for eight residents and as such is contrary to Policy DM4.10 of the North Tyneside Local Plan and the Wallsend Town Centre Masterplan (2023) which seeks to improve the quality of housing offer in Wallsend.
- 2) The proposal would result in an increased fear of crime to the detriment of residential amenity contrary to Local Plan Policy DM4.10 and would not contribute to the improvement of the area contrary to the Wallsend Town Centre Masterplan (2023)

PQ74/23 23/01371/FUL 102 Laurel Street, Wallsend

The Committee considered a report from the planning officers, together with an addendum circulated prior to the meeting, in relation to a full planning application from Mr Evans for the change of use from 1no apartments (use class C3) to 1no HMO's (use class C4) comprising 8no. bedrooms, including loft conversion (amended description and plans).

A planning officer presented details of the application with the aid of various maps, plans and photographs.

As the representations made by Councillor Marshall also covered the planning applications for 102 Laurel Street, Wallsend; 245-247 Station Road, Wallsend and 12 Coronation Street, Wallsend the Chair used his discretion and allowed the agent, Mr Taylor, to address the Committee on behalf of the applicant.

Mr Taylor explained that the properties were not located within an Article 4 Direction area and that all properties would meet the requirements of HMO guidance. Mr Taylor acknowledged the concerns raised regarding the property type but referred to the 2021 Census and the number of households in houses of multiple occupation and stated that this type of accommodation is not swamping the area. He stated that an Article 4 Direction could be introduced if it were found to be the case

Mr Taylor made reference to the concerns raised by the Police and queried how

this was relevant in this particular locality.

Mr Taylor stated that the location of the extension proposed for 12 Coronation Street had been designed to mitigate potential impact on the neighbouring property.

There were no questions put to Mr Taylor.

Members of the Committee asked questions of the officers and made comments. In doing so the Committee gave particular consideration to:

- Impact on residential amenity
- Living conditions and the number of rooms proposed
- The cumulative impact of HMOs
- Fear of crime
- The Wallsend Town Centre Masterplan
- North Tyneside Local Plan

The Chair proposed acceptance of the planning officer's recommendation.

On being put to the vote, 2 members voted for the recommendation and 6 voted against the recommendation.

Based upon the considerations of the Committee it was then moved and seconded that the application be refused.

On being put to the vote, 6 members voted for the recommendation and 2 voted against.

Resolved that planning permission be refused on the following grounds:

1) The proposal, which would significantly intensify the occupation of the property, would a significant negative impact on residential amenity, result in increased fear of crime and when combined with other HMO proposals within the area have an unacceptable cumulative impact on the Wallsend area, contrary to Local Plan Policy DM4.10 and the Wallsend Town Centre Masterplan (2023) which seeks to improve the quality of housing offer in Wallsend.

2) The proposal is an overdevelopment of the site that would not provide good

quality accommodation and living conditions for eight residents and therefore fails to comply with Local Plan Policy DM4.10

PQ75/23 23/01515/FUL 245–247 Station Road, Wallsend

The Committee considered a report from the planning officers, together with an addendum circulated prior to the meeting, in relation to a full planning application from Mr Andrew Taylor for proposed minor alterations to the rear apartment 245 and proposed change of use of apartment 247 to form an 8 Bed HMO including loft conversion and 4no roof windows.

A planning officer presented details of the application with the aid of various maps, plans and photographs.

Members of the Committee asked questions of the officers and made comments. In doing so the Committee gave particular consideration to:

- Impact on residential amenity
- Overdevelopment
- Parking
- Living conditions and the number of rooms proposed
- The cumulative impact of HMOs
- Fear of crime
- The Wallsend Town Centre Masterplan
- North Tyneside Local Plan

The Chair proposed acceptance of the planning officer's recommendation.

On being put to the vote, 2 members voted for the recommendation and 6 voted against the recommendation.

Based upon the considerations of the Committee it was then moved and seconded that the application be refused.

On being put to the vote, 6 members voted for the recommendation and 2 voted against.

Resolved that planning permission be refused on the following grounds:

1) The proposal, which would significantly intensify the occupation of the property, would have a significant negative impact on residential amenity, result in increased fear of crime and when combined with other HMO proposals within the area have an unacceptable cumulative impact on the Wallsend area, contrary to Local Plan Policy DM4.10 and the Wallsend Town Centre Masterplan (2023) which seeks to improve the quality of housing offer in Wallsend.

2) The proposal is an overdevelopment of the site that would not provide good quality accommodation and living conditions for eight residents and therefore fails to comply with Local Plan Policy DM4.10

PQ76/23 23/01577/FUL 12 Coronation Street, Wallsend

The Committee considered a report from the planning officers, together with two addendum circulated prior to the meeting, in relation to a full planning application from Mr Taylor for a proposed 2 storey extension. Loft conversion with 3 new roof windows and conversion of residential dwelling into 2 HMOs (1 no. 4-bed and 1 no. 8-bed).

A planning officer presented the details of the application with the aid of various maps, plans and photographs.

A planning officer presented details of the application with the aid of various maps, plans and photographs.

Members of the Committee asked questions of the officers and made comments. In doing so the Committee gave particular consideration to:

- Impact on residential amenity
- Overdevelopment
- Living conditions and the number of rooms proposed
- The cumulative impact of HMOs
- Fear of crime
- The Wallsend Town Centre Masterplan
- North Tyneside Local Plan

The Chair proposed acceptance of the planning officer's recommendation.

On being put to the vote, 2 members voted for the recommendation and 6 voted against the recommendation.

Based upon the considerations of the Committee it was then moved and seconded that the application be refused.

On being put to the vote, 6 members voted for the recommendation and 2 voted against.

Resolved that planning permission be refused on the following grounds:

- 1) The proposal, which would significantly intensify the occupation of the property, would have a significant negative impact on residential amenity, result in increased fear of crime and when combined with other HMO proposals within the area have an unacceptable cumulative impact on the Wallsend area, contrary to Local Plan Policy DM4.10 and the Wallsend Town Centre Masterplan (2023) which seeks to improve the quality of housing offer in Wallsend.
- 2) The proposal is an overdevelopment of the site that would not provide good quality accommodation and living conditions for twelve residents and therefore fails to comply with Local Plan Policy DM4.10

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PLANNING COMMITTEE

Date: 7 March 2024

PLANNING APPLICATION REPORTS

Background Papers - Access to Information

The background papers used in preparing this schedule are the relevant application files the numbers of which appear at the head of each report. These files are available for inspection at the Council offices at Quadrant East, The Silverlink North, Cobalt Business Park, North Tyneside.

Principles to guide members and officers in determining planning applications and making decisions

Interests of the whole community

Members of Planning Committee should determine planning matters in the interests of the whole community of North Tyneside.

All applications should be determined on their respective planning merits.

Members of Planning Committee should not predetermine planning applications nor do anything that may reasonably be taken as giving an indication of having a closed mind towards planning applications before reading the Officers Report and attending the meeting of the Planning Committee and listening to the presentation and debate at the meeting. However, councillors act as representatives of public opinion in their communities and lobbying of members has an important role in the democratic process. Where members of the Planning Committee consider it appropriate to publicly support or oppose a planning application they can do so. This does not necessarily prevent any such member from speaking or voting on the application provided they approach the decision making process with an open mind and ensure that they take account of all the relevant matters before reaching a decision. Any Member (including any substitute Member) who finds themselves in this position at the Planning Committee are advised to state, prior to consideration of the application, that they have taken a public view on the application.

Where members publicly support or oppose an application they should ensure that the planning officers are informed, preferably in writing, so that their views can be properly recorded and included in the report to the Planning Committee.

All other members should have regard to these principles when dealing with planning matters and must avoid giving an impression that the Council may have prejudged the matter.

Planning Considerations

Planning decisions should be made on planning considerations and should not be based on immaterial considerations.

The Town and Country Planning Act 1990 as expanded by Government Guidance and decided cases define what matters are material to the determination of planning applications.

It is the responsibility of officers in preparing reports and recommendations to members to identify the material planning considerations and warn members about those matters which are not material planning matters.

Briefly, material planning considerations include:-

- North Tyneside Local Plan (adopted July 2017);
- National policies and advice contained in guidance issued by the Secretary of State, including the National Planning Policy Framework, Planning Practice Guidance, extant Circulars and Ministerial announcements;
- non-statutory planning policies determined by the Council;
- the statutory duty to pay special attention the desirability of preserving or enhancing the character or appearance of conservation areas;
- the statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses;
- representations made by statutory consultees and other persons making representations in response to the publicity given to applications, to the extent that they relate to planning matters.

There is much case law on what are material planning considerations. The consideration must relate to the use and development of land.

Personal considerations and purely financial considerations are not on their own material; they can only be material in exceptional situations and only in so far as they relate to the use and development of land such as, the need to raise income to preserve a listed building which cannot otherwise be achieved.

The planning system does not exist to protect private interests of one person against the activities of another or the commercial interests of one business against the activities of another. The basic question is not whether owners and occupiers or neighbouring properties or trade competitors would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings, which ought to be protected in the public interest.

Local opposition or support for the proposal is not in itself a ground for refusing or granting planning permission, unless that opposition or support is founded upon valid planning reasons which can be substantiated by clear evidence.

It will be inevitable that all the considerations will not point either to grant or refusal. Having identified all the material planning considerations and put to one side all the immaterial considerations, members must come to a carefully balanced decision which can be substantiated if challenged on appeal.

Officers' Advice

All members should pay particular attention to the professional advice and recommendations from officers.

They should only resist such advice, if they have good reasons, based on land use planning grounds which can be substantiated by clear evidence.

Where the Planning Committee resolves to make a decision contrary to a recommendation from officers, members must be aware of their legislative responsibilities under Article 35 of the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended) to:

When refusing permission:

- state clearly and precisely the full reasons for any refusal including specifying all the policies and proposals in the development plan relevant to the decision; or

When granting permission:

- give a summary of the reasons for granting permission and of the policies and proposals in the development plan relevant to the decision; and
- state clearly and precisely full reasons for each condition imposed, specifying all policies and proposals in the development plan which are relevant to the decision; and
- in the case of each pre-commencement condition, state the reason for the condition being a pre-commencement condition.

And in both cases to give a statement explaining how, in dealing with the application, the LPA has worked with the applicant in a proactive and positive manner based on seeking solutions to problems arising in relation to dealing with the application, having regard to advice in para.s 186-187 of the National Planning Policy Framework.

Lobbying of Planning Committee Members

While recognising that lobbying of members has an important role in the local democratic process, members of Planning Committee should ensure that their response is not such as to give reasonable grounds for their impartiality to be questioned or to indicate that the decision has already been made. If however, members of Committee express an opinion prior to the Planning Committee this

does not necessarily prevent any such member from speaking or voting on the application provided they approach the decision making process with an open mind and ensure that they take account of all the relevant matters before reaching a decision. Any Member (including any substitute Member) who finds themselves in this position at the Planning Committee are advised to state, prior to consideration of the application, that they have taken a public view on the application.

Lobbying of Other Members

While recognising that lobbying of members has an important role in the local democratic process, all other members should ensure that their response is not such as to give reasonable grounds for suggesting that the decision has already been made by the Council.

Lobbying

Members of the Planning Committee should ensure that their response to any lobbying is not such as to give reasonable grounds for their impartiality to be questioned. However all members of the Council should ensure that any responses do not give reasonable grounds for suggesting that a decision has already been made by the Council.

Members of the Planning Committee should not act as agents (represent or undertake any work) for people pursuing planning applications nor should they put pressure on officers for a particular recommendation.

**PLANNING APPLICATION REPORTS
CONTENTS**

1 22/01835/FUL

Wallsend

Village Green Surgery The Green Wallsend Tyne And Wear NE28 6BB

Speaking rights requested -Charles Morgan, The Green, Wallsend Residents'
Association The Villa

Speaking rights requested -Mr Neil Bargewell, Jasmine House The Green

2 24/00041/FUL

Wallsend

15 High Street West Wallsend Tyne And Wear NE28 8JA

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Item No: 1
Application No: 22/01835/FUL
Date valid: 7 October 2022
Target decision date: 2 December 2022
Author: Rebecca Andison
☎: 0191 643 6321
Ward: Wallsend

Application type: full planning application non major

Location: Village Green Surgery, The Green, Wallsend, Tyne And Wear, NE28 6BB

Proposal: Proposed single storey extension to existing doctors surgery forming 3no consulting rooms including alterations to the existing car park and installation of cycle hoops

Applicant: Village Green Surgery

Agent: MWE Architects LLP

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issues for Members to consider in this case are:

- whether the principle of the development is acceptable;
- the impact upon surrounding occupiers;
- the impact of the proposal on the character of the surrounding area and heritage assets;
- whether sufficient parking and access would be provided; and
- the impact on biodiversity and trees.

1.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this application accords with the development plan and also take into account any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The application relates to a medical practice (Village Green Surgery) which is located to the north of Crow Bank, Wallsend.

2.2 The surgery is set back from the road and surrounded by mature trees. There is a car park to the south of the building. This is accessed via a narrow access road from Crow Bank.

2.3 To the north and east of the application site are area of trees and open space within Wallsend Hall grounds. Wallsend Health Centre and Wallsend Hall lie to the west and to the south beyond an area of trees are residential properties.

2.4 The site lies within The Green Conservation Area and the adjacent Wallsend Health Centre and Hall are Grade II Listed. The Hall Grounds are included within the Local Register.

3.0 Description of the proposed development

3.1 Planning permission is sought for a single storey extension to create 3no. additional consulting rooms. Alterations to the car park are also proposed.

3.2 The proposed extension would be located to the south of the building and measures 9.5m by 6.6m. It is proposed to reconfigure the car park layout to create 4no. additional parking bays, retaining the existing access.

4.0 Relevant Planning History

13/01624/FUL - To install solar panels on the sloping roof of the surgery
Planning permission refused 21.01.2014
Appeal (14/00005/S78TPA) allowed.

88/01436/FUL - New Group Practice Surgery for 6 no. doctors including new car parking areas for both staff and patients at land adjacent to existing Health Centre.

Planning permission granted 27.09.1988

5.0 Development Plan

5.1 North Tyneside Local Plan 2017

6.0 Government Policy

6.1 National Planning Policy Framework (2023)

6.2 Planning Practice Guidance (As amended)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

7.0 Main Issues

7.0 The main issues for Members to consider in this case are:

- whether the principle of the development is acceptable;

- the impact upon surrounding occupiers;
- the impact of the proposal on the character of the surrounding area and heritage assets;
- whether sufficient parking and access would be provided; and
- the impact on biodiversity and trees.

8.0 Principle of the Proposed Development

8.1 Paragraph 7 of NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development.

8.2 Paragraph 11 of NPPF introduces a presumption in favour of sustainable development, which amongst other matters states that decision makers should approve development proposals that accord with an up-to-date development plan without delay.

8.3 Paragraph 85 of NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

8.4 Policy S1.4 of the Local Plan states that proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development management or area specific policies of this Plan. Should the overall evidence based needs for development already be met additional proposals will be considered positively in accordance with the principles for sustainable development.

8.5 Policy S1.2 of the Local Plan states that the wellbeing and health of communities will be maintained and improved by:

- a. Working in partnership with the health authorities to improve the health and well-being of North Tyneside's residents.
- b. Requiring development to contribute to creating an age friendly, healthy and equitable living environment.

8.6 Policy DM1.3 states that the Council will work pro-actively with applicants to jointly find solutions that mean proposals can be approved wherever possible that improve the economic, social and environmental conditions in the area through the Development Management process and application of the policies of the Local Plan. Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise.

8.7 Policy S2.1 states that proposals that make an overall contribution towards sustainable economic growth, prosperity and employment in North Tyneside will be encouraged.

8.8 Policy S7.10 seeks to will ensure that local provision and resources for cultural and community activities are accessible to the neighbourhoods that they serve. One of the measures to achieve with is through the maintenance and improvement of access to healthcare provision.

8.9 Policy AS8.1 relates to development within the Wallsend and Willington Quay Sub-area and sets out a number of criteria which include providing new community facilities and services, including health services.

8.10 The applicant has provided the following information in respect of the need for the proposed development:

- Patient numbers have grown significantly in recent years, increasing from 10,537 in 2019 to 11,851 in 2022.
- The current consulting rooms are not sufficient for the needs of the practice.
- The building runs at full capacity on several days each week and two doctors have no permanent room to work from.
- At the current rate of growth there is a very real risk that the practice will need to apply to close its list to new patients.
- The extension would allow the practice to provide more GP training posts.
- 3no. additional consulting rooms is part of the evolution of the manner in which health services are provided by the surgery. They are intended to provide greater flexibility for the surgery and to decrease the waiting times that existing patients experience.
- The addition of further consulting rooms at the surgery may allow for some limited increase in the size of the patient list but the consulting rooms are not being proposed solely to allow an expansion of patient numbers.
- The use of a hybrid model of consultation limits patient numbers who visit the site for initial consultation, with face-to-face consultation only being necessary in some cases following initial telephone consultation.
- Increases in staff do not reflect a situation whereby an increased number of doctors are now working 5 days a week at the surgery. Rather, it is the case that many doctors are now working 2 or 3 days per week.
- The provision of 3 additional consulting rooms will not lead to a pro rata increase in staff.

8.11 The proposal relates to a long-established medical practice. It would secure economic development and accords with the aims of the above policies which seek to improve the health and well-being of North Tyneside's residents and improve access to medical facilities.

8.12 It is therefore officer opinion that the principle of extending the medical practice is acceptable.

9.0 Impact on surrounding occupiers

9.1 Paragraph 191 of NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and quality of life.

9.2 NPPF (para.96) states that planning should always seek to ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

9.3 Policy S1.4 of the Local Plan states that development should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

9.4 Policy DM6.1 (b and f) states that proposals should demonstrate a positive relationship to neighbouring buildings and spaces and a good standard of amenity for existing and future residents and users of buildings and spaces.

9.5 Policy DM6.2 (c and d) of the Local Plan states that when assessing applications for extending buildings the Council will consider the implications for amenity on adjacent properties and land such as outlook, loss of light or privacy and the cumulative impact if the building has been previously extended.

9.6 Policy DM5.19 states that amongst other matters development that may cause pollution will be required to incorporate measures to prevent or reduce the pollution so as not to cause nuisance or unacceptable impacts to people. Potentially polluting development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.

9.7 The site is located within a predominantly residential area of Wallsend but is not directly adjacent to any residential properties. It is not therefore considered that the proposed extension would not adversely affect surrounding residents in terms of loss of light, outlook or privacy.

9.8 The additional capacity of the surgery may result in some increase in patient and staff numbers, however as outlined above this would not necessarily be the case due to changes in working practices. In addition, it is not considered that the additional patient and staff activity generated by 3no. additional consulting rooms would result in a significant increase in noise or other disturbance.

9.9 The Manager of Environmental Health has been consulted and provided comments. She states that she has no objections and recommends conditions to control any external plant, ventilation systems, extracts/flues, external lighting, dust suppression methods and the construction hours.

9.10 Subject to conditions it is considered that the impact on existing occupiers would be acceptable and in accordance with Policies DM6.1 (b and f), DM6.2 (c and d) and DM5.19.

10.0 Impact on Character and Appearance

10.1 The Local Planning Authority must have regard to its statutory duty to ensure the preservation and enhancement of the character and appearance of conservation areas, as outlined in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It must also have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under section 66 of the same Act.

10.2 Paragraph 131 of NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and

development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.3 Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to the local character and history, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place (NPPF para. 135).

10.4 NPPF (para.139) advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes (NPPF para. 139).

10.5 Par.205 of NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

10.6 Para.206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

10.7 Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. (NPPF para.207-208).

10.8 At paragraph 212 of the NPPF it states:

"Local planning authorities should look for opportunities for new development within conservation area....and within the setting of heritage assets to enhance or better reveal their significance."

10.9 Policy DM6.1 of the Local Plan states that applications will only be permitted where they demonstrate high and consistent design standards. Designs should be specific to the place, based on a clear analysis the characteristics of the site, its wider context and the surrounding area.

10.10 Policy S6.5 states that the Council aims to pro-actively preserve, promote and enhance its heritage assets.

10.11 Policy DM6.6 states that proposals that affect heritage assets or their settings, will be permitted where they sustain, conserve and, where appropriate,

enhance the significance, appearance, character and setting of heritage assets in an appropriate manner. As appropriate, development will:

- a. Conserve built fabric and architectural detailing that contributes to the heritage asset's significance and character;
- b. Repair damaged features or reinstate missing features and architectural detailing that contribute to the heritage asset's significance;
- c. Conserve and enhance the spaces between and around buildings including gardens, boundaries, driveways and footpaths;
- d. Remove additions or modifications that are considered harmful to the significance of the heritage asset;
- e. Ensure that additions to heritage assets and within its setting do not harm the significance of the heritage asset;
- f. Demonstrate how heritage assets at risk (national or local) will be brought into repair and, where vacant, re-use, and include phasing information to ensure that works are commenced in a timely manner to ensure there is a halt to the decline;
- g. Be prepared in line with the information set out in the relevant piece(s) of evidence and guidance prepared by North Tyneside Council;
- h. Be accompanied by a heritage statement that informs proposals through understanding the asset, fully assessing the proposed affects of the development and influencing proposals accordingly.

Any development proposal that would detrimentally impact upon a heritage asset will be refused permission, unless it is necessary for it to achieve wider public benefits that outweigh the harm or loss to the historic environment and cannot be met in any other way.

10.12 Design guidance for high quality design is set out in Design Quality SPD. Relevant sections of the Design Quality SPD include:

4.2 "The appearance and materials chosen for a scheme should create a place with a locally inspired or otherwise distinctive character. Identifying whether there are any architectural features or specific materials that give a place a distinctive sense of character should be a starting point for design."

5.3 "North Tyneside's historic environment creates a sense of place, well-being and cultural identity for the borough.....New buildings clearly need to meet current needs and reflect the availability of modern materials and techniques while also respecting established forms and materials that contribute towards the character of an area. As with all development, understanding significance of the place is crucial."

5.3 "Development within the curtilage of heritage assets must have full regard to the following:

- a) The heritage asset should be retained as the visually prominent building.*
- b) The special architectural and visual qualities of the area or asset and their setting.*
- c) The pattern of existing development and routes through and around it.*
- d) Important views.*
- e) The scale, design, detail and character of neighbouring buildings.*

f) Any potential impacts of the proposed development on heritage assets and their setting.”

10.13 The Green, Wallsend Conservation Area Character Appraisal describes views up and down Crow Bank as “very evocative, with a rich, sylvan country lane feel, shrouded in tall trees” (p.30). The Character Appraisal also explains that the surgery building is somewhat out of character with the area but is well hidden from view by vegetation (page 37). It notes that the impact of through traffic and parking (particularly in relation to the Hall and its various uses) is a perennial concern for local people. (p.83) and that the “atmosphere is challenged by the level and speed of traffic through the Green” (p.75).

10.14 The site is located within The Green Conservation Area immediately to the east of the grade II listed Health Centre, beyond which is the grade II Wallsend Hall. To the south of the site are Jasmine House and Cross House, both listed at grade II.

10.15 The Planning Policy Officer (Conservation) has been consulted and provided comments. Concerns are raised regarding the loss of trees, the erosion of greenspace and encroachment of the extension into the green grounds of the surgery. The comments also note the potential for additional traffic to impact on the conservation area’s character. The Planning Policy Officer (Conservation) notes that the revised plans reduce the ‘creep’ into the green central space but considers that the proposal would still result in harm to the conservation area. The level of harm is considered to be low.

10.16 The size of the extension has been reduced during the course of the application. An extension containing 5no. new consulting rooms was originally proposed. This has now been reduced to 3no. and the projection of the extension from the building reduced from 15.7m to 9.5m.

10.17 The surgery occupies a modern building dating from the 1980’s and views from the public domain are extremely restricted by the surrounding trees and the slightly lower land levels of the site when compared to Wallsend Health Centre.

10.18 The submitted Design, Access and Heritage statement notes that space within the site is limited and the only possibility of extending the building is to the south or via additional floors.

10.19 The proposed extension has a hipped roof to reflect the design of the existing building, but is lower in height which reduces its prominence. When viewed from Crow Bank the extension would be seen against the backdrop of the existing building. It would be constructed from matching brick with a slate covered roof and white aluminium framed windows. It is officer opinion that the scale and design of the extension are acceptable and would not result in harm to the appearance of the site or the character of the conservation area.

10.20 The Character Appraisal notes the contribution that the tree line along Crow Bank make to the character of the conservation area and that views of the surgery are currently screened by vegetation. It also notes that the thicker planting around the surgery and its car park have little historic reference. The

proposal requires the removal of 3no. trees (T1, T2 and T4), and a further 4no. trees are proposed for removal due to their poor condition. T1, T2 and T4 are located closest to the building beyond the most densely vegetated area adjacent to Crow Bank.

10.21 It is proposed to plant 4no. replacement trees and additional scrub planting within the site to mitigate for those lost and maintain screening. Subject to this additional landscaping it is not considered that the tree loss would affect the current screening of the surgery or views along Crow Bank.

10.22 The potential impact of additional traffic on the conservation area's character has been considered. However, any increase in visitor and staff numbers and consequently visitor vehicles is likely to be insignificant in the context of the existing site. It is not considered that the additional traffic would harm the character of the conservation area.

10.23 While the site is located close to several listed buildings the development would be screened by existing and proposed trees and would therefore have little impact of view of or from the listed buildings. The impact on their setting is therefore considered to be acceptable.

10.24 It is officer opinion that the proposal would result in some harm to the character of the conservation due to the loss of green space. It is considered that this harm would be at the lower end of less than substantial. In these circumstances consideration must be given as to whether the harm is outweighed by the public benefits of the proposal. In this case the benefits are the provision of improved medical facilities which would allow the practice to cope with increasing patient numbers. When taking into account the low level of harm it is officer opinion that the benefits of the proposal are sufficient to outweigh the harm to the conservation area's character.

10.25 It is officer opinion that the development complies with the NPPF, Policies DM6.1 and DM6.6 of the North Tyneside Local Plan and the Design Quality SPD.

11.0 Whether there is sufficient car parking and access provided

11.1 NPPF paragraph 115 makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

11.2 NPPF paragraph 116 states, amongst other matters, that applications for development should give priority first to pedestrian and cycle movements both within the scheme and with neighbouring areas and address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

11.3 All development that will generate significant amounts of movement should be required to provide a Travel Plan (TP), and the application should be supported by a Transport Statement (TS) or Transport Assessment (TA) so the likely impacts of the proposal can be fully assessed.

11.4 Policy DM7.4 seeks to ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support residents and health and well-being.

11.5 The Transport and Highways SPD sets out the Council's adopted parking standards.

11.6 The site is accessed from Crow Bank and currently contains 11 no. parking spaces. It is proposed to retain the existing access and reconfigure the car park to create an additional 4 no. parking spaces. 4 no. additional cycle parking spaces and 2 no. EV charging points would also be provided. A Transport Assessment and Travel Plan have been submitted.

11.7 The site can be accessed by pedestrians and cyclists and is within 550m of bus stops on Station Road.

11.8 The Transport Assessment contains information in respect of staff numbers and travel modes. It states that the surgery employs 48 no. staff, of which 10 no. are full time. A survey carried out in 2022 found that 67% of staff travel by car alone with the remainder travelling by bus, walking, car share, Metro, cycle and taxi. Based on the predicted uplift in staff of 5 no. employees and existing travel modes, the Transport Assessment predicts that the development could result in additional demand for 3 no. cars on site. A survey of patient transport modes was also undertaken. 188 no. patients were surveyed over a 2-week period. 54% of patients travelled to the surgery by car alone.

11.9 The Team Leader - New Developments (Highways) has been consulted and raises no objections to the proposal. He notes that the site is long-established, that a small increase in parking provision is proposed and that a Travel Plan and Parking Management Plan have been provided.

11.10 Local residents have raised concern regarding existing parking problems and the potential impact of the proposal on highway safety, parking and congestion. These concerns are noted. However, it is not considered that the additional traffic and parking demand generated by 3 no. additional consulting rooms would be significant enough to justify refusal of the application on these grounds, particularly when taking into account that an additional 4 no. parking spaces would be created.

11.11 It is therefore considered that impact on the highway network is acceptable and in accordance with the NPPF, Policy DM7.4 and the Transport and Highways SPD.

12.0 Trees and ecology

12.1 An environmental role is one of the three dimensions of sustainable development according to NPPF, which seeks to protect and enhance our natural, built and historic environment by amongst other matters improving biodiversity.

12.2 Paragraph 180 of NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

12.3 Paragraph 186 of NPPF states that when determining planning application that if significant harm to biodiversity cannot be avoided, or as a last resort compensated for, then planning permission should be refused.

12.4 Policy DM5.2 sets out that the loss of any part of the green infrastructure network will only be considered in the following exceptional circumstances:

- a. Where it has been demonstrated that the Site no longer has any value to the community in terms of access and function;
- b. If it is not a designated wildlife Site or providing important biodiversity value;
- c. If it is not required to meet a shortfall in the provision of that green space type or another green space type;
- d. The proposed development would be ancillary to use of the green infrastructure and the benefits to green infrastructure would outweigh any loss of open space.

12.5 Policy S5.4 states that the Borough's biodiversity and geodiversity resources will be protected, created, enhanced and managed having regard to their relative significance.

12.6 Policy DM5.5 of the Local Plan states that all development proposals should:

- a. Protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links; and,
- b. Maximise opportunities for creation, restoration, enhancement, management and connection of natural habitats; and,
- c. Incorporate beneficial biodiversity and geodiversity conservation features providing net gains to biodiversity, unless otherwise shown to be inappropriate.

Proposals which are likely to significantly affect nationally or locally designated sites, protected species, or priority species and habitats (as identified in the Biodiversity Action Plan), identified within the most up to date Green Infrastructure Strategy, would only be permitted where:

- d. The benefits of the development in that location clearly demonstrably outweigh any direct or indirect adverse impacts on the features of the site and the wider wildlife links; and,
- e. Applications are accompanied by the appropriate ecological surveys that are carried out to industry guidelines, where there is evidence to support the presence of protected and priority species or habitats planning to assess their presence and, if present, the proposal must be sensitive to, and make provision for, their needs, in accordance with the relevant protecting legislation; and,
- f. For all adverse impacts of the development appropriate on site mitigation measures, reinstatement of features, or, as a last resort, off site compensation to enhance or create habitats must form part of the proposals. This must be

accompanied by a management plan and monitoring schedule, as agreed by the Council.

12.7 Policy DM5.7 states that development proposals within a wildlife corridor must protect and enhance the quality and connectivity of the wildlife corridor. All new developments are required to take account of and incorporate existing wildlife links into their plans at the design stage. Developments should seek to create new links and habitats to reconnect isolated sites and facilitate species movement.

12.8 Policy DM5.9 supports the protection and management of existing woodland trees, hedgerow and landscape features. It seeks to secure new tree planting and landscaping scheme for new development, and where appropriate, promote and encourage new woodland, tree and hedgerow planting schemes and encouraging native species of local provenance.

12.9 The site is located within a wildlife corridor and contains dense vegetation and mature trees. An Arboricultural Impact Assessment (AIA), Ecological Impact Assessment and Biodiversity Net Gain Statement have been submitted in support of the application.

12.10 The extension originally proposed required the removal of up to 7no. trees, with potential impacts on the roots of a further 6no. retained trees. By reducing the size of the extension, it is now necessary to remove 3no. trees to construct the extension. Two of these trees have been assessed as moderate quality (category B) and one as poor quality (category C). 4no. further trees are also proposed to be removed due to their poor health.

12.11 To address the small loss of habitat and trees within the development site it is proposed to plant 4no. replacement standard trees in the space created by the loss of the diseased trees and to gap up a section of retained ornamental hedging along the site entrance road with native shrubs. Enhancement to the existing woodland within the curtilage of the site is also proposed.

12.12 The trees and building have been surveyed for bats. No evidence of roosting bats was found during the assessment of the building and the trees to be removed were found to have negligible potential to support roosting bats.

12.13 A Biodiversity Net Gain (BNG) assessment has been undertaken. This demonstrates that as a result of the additional tree and shrub planting a BNG of +67.92% is achieved.

12.14 The Biodiversity Officer has provided comments and raises no objections to the application. The impact on ecology is considered to be acceptable subject to conditions requiring a detailed landscape scheme, Habitat Management and Monitoring Plan and to ensure the protected species are safeguarded during the construction work. Further conditions are required in respect of tree protection measures and tree pruning.

12.15 Members need to consider whether the impact on trees and ecology would be acceptable and weight this in their decision. It is officer advice that the impact

is acceptable subject to conditions, and that the proposal accords with the NPPF and LP policies S5.4, DM5.5, DM5.7 and DM5.9.

13.0 Local Financial Considerations

13.1 Paragraph 11 of National Planning Practice Guidance states that Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local financial consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local financial consideration as a grant or other financial assistance that has been, will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

13.2 Whether or not 'a local financial consideration' is material to a particular decision will depend on whether it could help make the development acceptable in planning terms. It is considered that retention/creation of jobs is material in terms of making this development acceptable in planning terms.

14.0 Conclusions

14.1 Members should consider carefully the balance of issues before them and the need to take into account national policy within NPPF and the weight to be accorded to this as well as current local planning policy.

14.2 Specifically, NPPF states that LPA's should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. A core planning principle within NPPF requires that every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

14.3 The proposal would support an existing medical practice and help to improve access to medical facilities for residents. It is therefore officer opinion that the principle of the proposal is acceptable.

14.4 It is officer advice that the development would not have an adverse impact on the amenity of surrounding residents. While there would be some low-level harm to the conservation area's character it is officer opinion that this is outweighed by the benefits of the proposal. It is considered that the level of parking proposed is acceptable and that the development would not have an unacceptable impact on highway safety or result in a residual cumulative impact that would be severe. The impact on biodiversity and trees is also considered to be acceptable.

14.5 It is recommended that planning permission should be granted subject to conditions.

RECOMMENDATION: Application Permitted

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications.

- Application form
- Site location plan
- Site and block plan as proposed P-08 Rev.A
- Section and roof plan as proposed P-07
- Plans as proposed P-05 Rev.A
- Elevations as proposed P-06 Rev.A

Reason: To ensure that the development as carried out does not vary from the approved plans.

3. The scheme for parking shall be laid out in accordance with the approved plans prior to the extension being brought into use. This scheme shall not be used for any other purpose and retained thereafter.

Reason: In the interests of highway safety and of the development having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

4. The scheme for undercover cycle storage shall be laid out in accordance with the approved plans prior to the extension hereby approved being brought into use. This cycle storage shall not be used for any other purpose and retained thereafter.

Reason: In the interests of highway safety and of the development having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

5. The Travel Plan (TPS, January 2023) shall be implemented in accordance with the agreed details and retained thereafter.

Reason: To accord with Central Government and Council Policy concerning sustainable transport having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

6. The Car Park Management Plan (Chapter 7, TPS Transport Assessment, January 2023) shall be implemented in accordance with the agreed details and retained thereafter.

Reason: To accord with Central Government and Council Policy concerning sustainable transport having regard to policy DM7.4 of the North Tyneside Local Plan (2017) and NPPF.

7. Notwithstanding the approved plans, the extension shall not be brought into use until details of Electric Vehicle (EV) charging provision has been submitted to and approved by in writing the Local Planning Authority. This scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: To accord with Central Government and Council Policy concerning sustainable transport having regard to policy DM7.4 of the North Tyneside Local Plan (2017) and NPPF.

8. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives

(including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; storage of plant and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; a detailed scheme to prevent the deposit of mud and debris onto the highway and a dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

Reason: This information is required pre-development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees (where necessary) and residential amenity having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

9. Restrict Hours No Construction Sun BH HOU00 *
4

10. Noise No Tannoys Externally Audible NOI002 *

11. Prior to the installation of any external plant associated with the extension a noise scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the rating level from plant and equipment, as measured one metre from facade of nearest residential property, does not exceed the background noise level. The measurement shall be carried out in accordance with BS4142. The approved scheme shall be carried out in full prior to the plant being brought into use.

Reason: To safeguard the amenity of nearby occupiers having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

12. Within one month of the plant and equipment being installed acoustic testing must be undertaken to verify compliance with condition 11 and a report of the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenity of nearby occupiers having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

13. Details of any new chimneys or extraction vents to be provided in connection with the development shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To safeguard the amenity of nearby occupiers having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

14. Details of any new air ventilation systems to be provided in connection with the development shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To safeguard the amenity of nearby occupiers having regard to policy DM5.19 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

15. Notwithstanding Condition 1, prior to the construction of any part of the development hereby approved above damp-proof course level a schedule and/or samples of all surfacing materials and external building materials (including doors and windows) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To ensure a satisfactory appearance having regard to Policies DM6.6 and DM6.1 of the North Tyneside Local Plan (2017).

16. Prior to commencement of development a Bat Working Method Statement shall be submitted to and approved in writing by the Local Planning Authority. All building and tree works shall be undertaken in accordance with the approved Method Statement. Prior to the removal of any trees a pre-checking bat assessment shall be carried out.

Reason: To ensure that local wildlife populations are protected in the interests of biodiversity, having regard to the NPPF and Policy DM5.5 of the North Tyneside Local Plan.

17. Prior to the installation of any form of external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. High intensity security lights shall be avoided as far as practical and if required, these shall be of minimum practicable brightness, set on a short timer and motion sensitive only to larger objects. Lighting must be designed to minimise light spill to adjacent boundary features such as woodland, scrub, grassland and hedgerow habitats and should be less than 2 lux in these areas. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To ensure local wildlife populations are protected; having regard to the NPPF and policies DM5.5 and DM5.7 of the North Tyneside Local Plan (2017).

18. Prior to commencement of development a Mammal Working Method Statement, which must detail the mitigation measures employed to protect key species such as badger and hedgehog, shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken in accordance with the approved Method Statement.

Reason: To ensure local wildlife populations are protected; having regard to the NPPF and policies DM5.5 and DM5.7 of the North Tyneside Local Plan (2017).

19. No vegetation removal shall take place during the bird nesting season (March-August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.

Reason: To ensure that local wildlife populations are protected in the interests of biodiversity, having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan.

20. Any excavations left open overnight shall have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Reason: To ensure that local wildlife populations are protected in the interests of biodiversity, having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan.

21. 3no. bird boxes shall be provided on suitable trees within the development site. Details of the bird box specification and locations shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of any part of the development hereby approved above damp proof course level. The bird boxes shall be installed in accordance with the approved details before the extension is brought into use and thereafter retained.

Reason: To ensure that local wildlife populations are protected in the interests of biodiversity, having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan.

22. 1no. integrated bat brick/feature shall be provided within the extension. Details of the bat brick/feature and location shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of any part of the development hereby approved above damp-proof course level. The bat brick/feature shall be installed in accordance with the approved details before the extension is brought into use and thereafter retained.

Reason: To ensure that local wildlife populations are protected in the interests of biodiversity, having regard to the NPPF and Policies DM5.5 and DM5.7 of the North Tyneside Local Plan.

23. Notwithstanding Condition 1, prior to the construction of any part of the development hereby approved above damp-proof course level, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details and proposed timing of all new tree, shrub and wildflower planting and ground preparation noting the species and sizes for all new plant species. Tree planting should consist of two heavy standard (14-16cm girth) common limes (*Tilia x europaea*) and two heavy standard (14-16cm girth) oaks (*Quercus robur*). Native shrub planting on the western boundary must include *Crataegus monogyna*, *Prunus spinosa*, *Cornus sanguinea* and *Viburnum opulus*. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

Reason: To ensure a satisfactory standard of landscaping, that local wildlife populations are protected and that a BNG is achieved; having regard to policies DM5.5, DM5.7 and DM5.9 of the North Tyneside Local Plan (2017).

24. Prior to the construction of any part of the development hereby approved above damp-proof course level, a 30 year 'Habitat Management and Monitoring Plan' for all habitat creation and enhancement within the application site (as set out within the 'Ecological Impact Assessment Report and Biodiversity Net Gain Statement' - V07 February 2024) shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include long term design objectives, management responsibilities, timescales and maintenance schedules for all landscaped areas. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority. The Plan will include the following:-

-Details on the creation and management of all target habitats identified within the Biodiversity Net Gain Assessment Report and Metric (Darryl Birch Feb 2024) and the approved on-site landscape plan. Management prescriptions shall relate directly to the targeted criteria required to meet the specific habitat condition assessments set out in the BNG Report.

-Survey and monitoring details for all target habitats identified within the Net Gain Assessment Report (Darryl Birch Feb 2024). Monitoring Reports will be submitted to the LPA for review in years 3, 5 and 10 and 5 yearly thereafter, and will include a Net Gain Assessment update as part of the report to ensure the habitats are reaching the specified target condition. Any changes to habitat management as part of this review will require approval in writing from the LPA. The Plan will be reviewed every 5 years in partnership with the LPA.

Reason: To ensure a satisfactory standard of landscaping, that local wildlife populations are protected and that a BNG is achieved; having regard to policies DM5.5, DM5.7 and DM5.9 of the North Tyneside Local Plan (2017).

25. Any required tree works shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

Reason: To protect existing trees in the interests of amenity and wildlife value to comply with Policy S5.4, DM5.5, DM5.7, DM5.9 and DM6.1 of the North Tyneside Local Plan (2017).

26. No development, including site clearance, shall commence on the site until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall be installed in accordance with the agreed details before development commences and shall remain in place until the works are complete or unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect existing trees in the interests of amenity and wildlife value to comply with Policy S5.4, DM5.5, DM5.7, DM5.9 and DM6.1 of the North Tyneside Local Plan (2017).

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.

Informatives

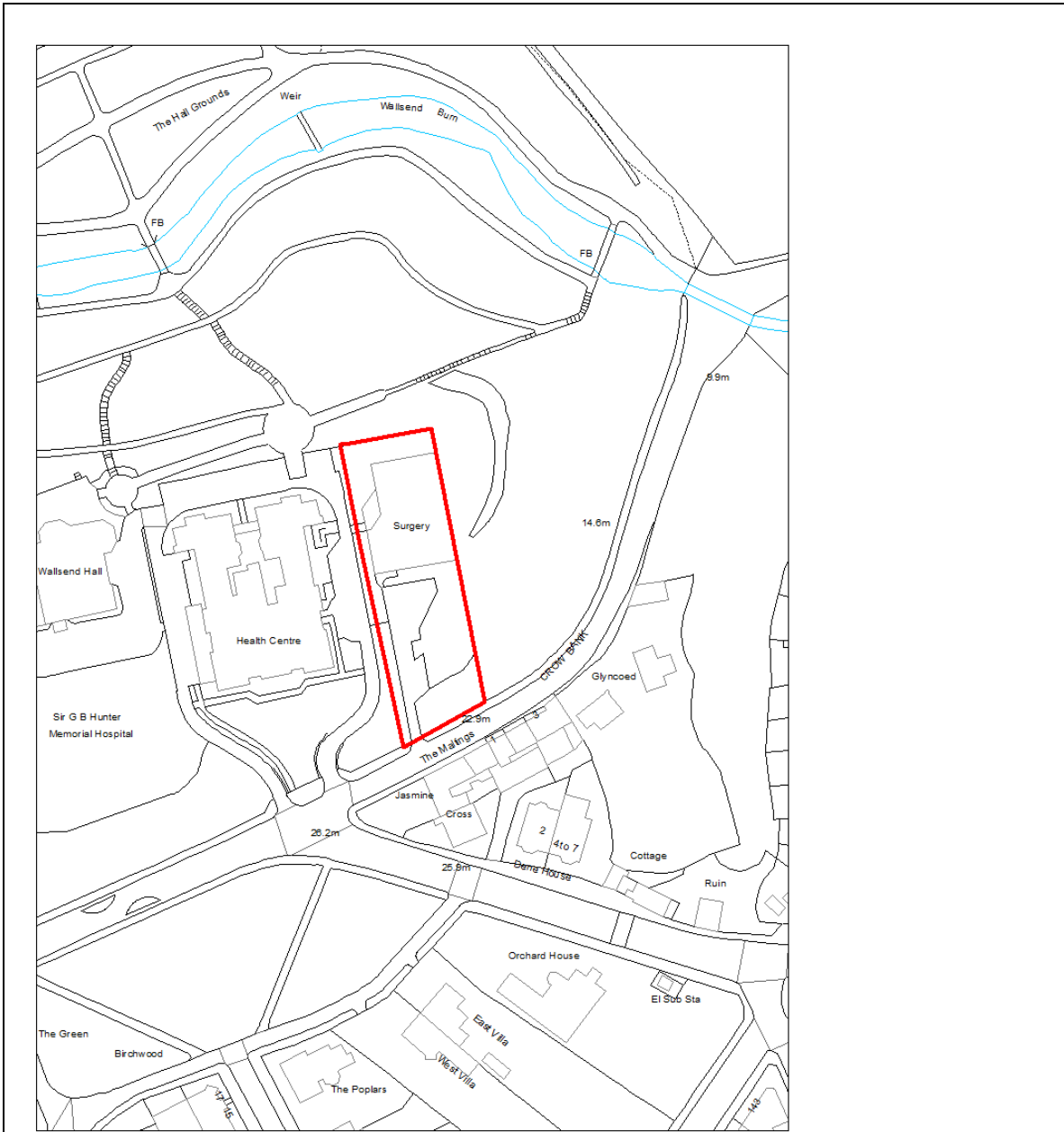
Building Regulations Required (I03)

It is advised that Waste Acceptance Criteria testing be carried out ensure any waste materials is disposed of at a suitably licensed facility.

Coal Mining Standing Advice (FUL,OUT) (I44)

Do Not Obstruct Highway Build Materials (I13)

Highway Inspection before dvlpt (I46)



Application reference: 22/01835/FUL

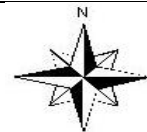
Location: Village Green Surgery, The Green, Wallsend, Tyne And Wear

Proposal: Proposed single storey extension to existing doctors surgery forming 3no consulting rooms including alterations to the existing car park and installation of cycle hoops

Not to scale

Date: 26.02.2024

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Consultations/representations

1.0 Internal Consultees

1.1 Team Leader - New Developments (Highways)

1.2 This application is for a proposed single-storey extension to the existing doctor's surgery forming 3 consulting rooms including alterations to the existing car park and installation of cycle hoops.

1.3 The site is long-established access and servicing remains unchanged and there is a small increase in parking provision. A Travel Plan and Parking Management Plan have been included as part of the application and conditional approval is recommended.

1.4 Recommendation - Conditional Approval

1.5 Conditions:

Notwithstanding the details submitted, the scheme for parking shall be laid out in accordance with the approved plans. This scheme shall not be used for any other purpose and retained thereafter.

Reason: In the interests of highway safety and of the development having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

Notwithstanding the details submitted, the scheme for undercover cycle storage shall be laid out in accordance with the approved plans. This scheme shall not be used for any other purpose and retained thereafter.

Reason: In the interests of highway safety and of the development having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

Notwithstanding the details submitted, the Travel Plan shall be implemented in accordance with the agreed details and retained thereafter.

Reason: To accord with Central Government and Council Policy concerning sustainable transport having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

Notwithstanding the details submitted, the Parking Management Plan shall be implemented in accordance with the agreed details and retained thereafter.

Reason: To accord with Central Government and Council Policy concerning sustainable transport having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

No part of the development shall be occupied until details of Electric Vehicle (EV) charging provision has been submitted to and approved by in writing the Local Planning Authority. This scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety and of the development having regard to policy DM7.4 of the North Tyneside Local Plan (2017).

Notwithstanding Condition 1, no development shall commence until a Construction Method Statement for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall: identify the access to the site for all site operatives (including those delivering materials) and visitors, provide for the parking of vehicles of site operatives and visitors; storage of plant and materials used in constructing the development; provide a scheme indicating the route for heavy construction vehicles to and from the site; a turning area within the site for delivery vehicles; a detailed scheme to prevent the deposit of mud and debris onto the highway and a dust suppression scheme (such measures shall include mechanical street cleaning, and/or provision of water bowsers, and/or wheel washing and/or road cleaning facilities, and any other wheel cleaning solutions and dust suppressions measures considered appropriate to the size of the development). The scheme must include a site plan illustrating the location of facilities and any alternative locations during all stages of development. The approved statement shall be implemented and complied with during and for the life of the works associated with the development.

Reason: This information is required pre-development to ensure that the site set up does not impact on highway safety, pedestrian safety, retained trees (where necessary) and residential amenity having regard to policies DM5.19 and DM7.4 of the North Tyneside Local Plan (2017) and National Planning Policy Framework.

1.6 Planning Policy (Conservation)

1.7 Whilst the development “creep” into the central green area of this part of the conservation has been reduced, it does remain. This is something we note as a concern in the adopted Character Appraisal and so, whilst the level of harm arising from this would be low, it would be harm, nonetheless.

1.8 In terms of the loss of trees and potential harm to retained trees, and impact of traffic and parking, my previous comments remain.

1.9 Should the application be approved, we should condition materials to match the existing building, and materials of new hardstanding.

1.10 Previous Conservation Comments - made in response to the original plans (now superseded)

1.11 Planning permission is sought for an extension to the surgery building and alterations to the car park. The surgery sits within The Green, Wallsend conservation area. The Local Planning Authority must have regard to its statutory duty to ensure the preservation and enhancement of the character and appearance of conservation areas, as outlined in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

1.12 Immediately to the west is the grade II listed Health Centre, beyond which is the grade II Wallsend Hall. To the south of the site are Jasmine House and Cross House, both listed at grade II. The Local Planning Authority must consider the impact of development proposals upon the special interest of listed buildings as required of section 66 of the same Act.

1.13 There is a presumption that trees in a conservation area are retained. The proposal would see the loss of trees. I am concerned about the impact this would have on the general amenity of the area, and on the character of Crow Bank, which is noted in the Council's adopted Character Appraisal (The Green, Wallsend Conservation Area Character Appraisal, 2006) as "quite special indeed" due to its "rich, sylvan country lane feel, shrouded in tall trees..." (page 30). The Character Appraisal also explains that the surgery building is somewhat out of character with the area but is well hidden from view by vegetation (page 37). How removing trees would affect this is also of some concern.

The Council's Landscape Architect will be able to advise further on these potential impacts and also the impact the works could have upon the health of retained trees.

1.14 The adopted Character Appraisal notes the issue of how the newer developments within the conservation area have not always followed established building lines and the erosion of traditional green spaces over time. That "creep" of development has negatively impacted the character of the village green. With this in mind, the proposed extension within the green grounds of the surgery towards the village green cannot be viewed as a favourable option.

1.15 I note local concerns about parking and traffic impacts. Whilst the Council's Highway team will assess the proposals against the relevant standards, I would note the statutory requirement to pay special attention to preserving or enhancing character as well as appearance when carrying out planning functions within conservation areas. The adopted Character Appraisal identifies how the conservation area's "atmosphere is challenged by the level and speed of traffic through the Green...plus perennial parking problems" (page 75).

1.16 Having considered the proposal in the context of the relevant legislation, planning policy and guidance, I am of the opinion that it would represent harm to the character and appearance of the conservation area and to the settings of the nearby listed buildings.

1.17 In considering the National Planning Policy Framework 2021 (the NPPF), the harm to the designated heritage assets would be less than substantial. The NPPF is clear that harm of any level is undesirable and great weight should be given to the conservation of heritage assets. The identified harm must be clearly and convincingly justified in terms of public benefits (paragraphs 200 and 202 of the NPPF). Whilst the benefits of the proposal can be acknowledged, it is not clear and convincing that sufficient benefits to the public at large would arise to outweigh the identified harm.

1.18 Manager of Environmental Health (Pollution)

1.19 I have no objection in principle to this development but would recommend conditions to address potential noise if any new external plant is installed as part of the development. I would recommend the following conditions if planning consent is to be given.

New External plant only

A noise scheme must be submitted to the planning authority for written approval and implemented prior to development to ensure the rating level from any new

external plant and equipment, as measured one metre from façade of nearest residential property, does not exceed the background noise level. The measurement shall be carried out in accordance with BS4142.

It will be necessary following installation of the plant and equipment that acoustic testing is undertaken to verify compliance with this condition within one month of its installation and submitted for written approval prior to the operation of the plant and thereafter maintain in working order.

NOI02

EPL01 Any new extractor/chimney

EPL02 New external ventilation System

HOU04

SIT03

1.20 Manager of Environmental Health (Contamination)

1.21 I have no objections to this development; however previous land use may have given rise to contamination. I would advise that Waste Acceptance Criteria testing be carried out ensure any waste materials is disposed of at a suitably licensed facility.

1.22 Biodiversity Officer

1.23 The Village Green Surgery is a 1.5 storey building is located on the edge of a wooded escarpment that runs down to the Wallsend Burn. The woodland which adjoins the building extends to the north, east and to the south. The building is adjacent to Wallsend Hall and grounds which is on its western boundary. Habitats around the building include ornamental beds and shrubs, amenity grassland, access drives and areas of hardstanding.

1.24 The car park has been redesigned and the new extension reduced in size. A revised Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan (November 2023) has been submitted and seeks to remove 3no. trees to facilitate the development and 4no. trees which are in poor health and require removal due to the presence of ash dieback disease.

1.25 Three of the trees surveyed (T1, T2 and T4) will need to be removed to facilitate the proposed development. An additional 4no. trees are recommended for removal as these have been classified as 'potentially hazardous' in the short term (<5 years) due to the presence of ash dieback and should be removed as part of good management, these are T7, T11, T12 and T14. Minor pruning is also required of T3, T5, T6 and T10 for the construction of the extension. The Report recommends that 4no. new standard trees will be provided to mitigate the loss of the 3no. trees that are required to be removed to facilitate the scheme and these trees will be planted in the spaces created by the removal of the diseased trees.

1.26 An 'Ecological Impact Assessment Report and Biodiversity Net Gain Statement' (V07 February 2024) has been submitted to support the application, to identify any ecological constraints within the site and to demonstrate how a biodiversity net gain will be achieved.

1.27 A Phase 1 Habitat Survey of the site was undertaken on 19th July 2022. The main habitats within the site include mixed semi-natural deciduous

woodland, ornamental shrubs and standard trees and a small area of tall ruderal habitat.

1.28 A Preliminary Roost Assessment (PRA) of the building was also undertaken in July 2022. The building was assessed as low risk and in accordance with published guidance, a dusk roost emergence survey was carried out of the single building in August 2022. Although roosting bats or signs of bat roosts were not found during the assessment of the existing building, it is advised in the Report that any works within the site will be carried out under a working method statement under the supervision of the project ecologist.

1.29 An aerial inspection of trees for potential bat roost features was also undertaken on 5th March 2023.

1.30 The ground-based assessment identified a number of trees with potential roost features (PRF's) for bats. These were downgraded to negligible following the aerial assessment. The woodland is likely to provide a significant foraging resource for local bats and the loss of the trees will potentially impact on local bat populations. Further assessment of the trees will be required before removal.

1.31 The survey report states that badger may occasionally forage around and within the site but they are not resident. There are no features within the site that would be suitable for sett creation. Based on the information gathered, the site is considered to be of no more than low value to any nearby badger populations. A working method statement to prevent commuting badger becoming entrapped in foundation excavations will need to be followed. The mosaic of habitats within the surrounding areas would also provide a good foraging resource for hedgehog present in the local area. Although no sign of this species was found during the survey, being primarily nocturnal; it is likely that this species is present in the area. Any site clearance would need to be carried out to a method statement under a watching brief from the project ecological consultant to prevent accidental harm to this species.

1.32 Proposed mitigation measures to address any impacts to local bat populations include lighting design to minimise light spill to the adjacent woodland habitat, further assessment of trees prior to removal and working method statements for bats, badger and hedgehog to ensure there will be no impacts on protected and priority species during construction works. These will be conditioned as part of the application.

1.33 To address the small loss of habitat within the development site, which includes a small number of trees (3no. trees to facilitate the development) and some ornamental hedging, the scheme will provide additional standard trees (4no trees) that will be planted in the space created by the loss of the diseased ash trees as well as the gapping up of retained ornamental hedging along the site entrance road with native shrubs and some enhancement to the existing woodland within the curtilage of the site. This is captured in the Biodiversity Net Gain Assessment (February 2023) and associated Biodiversity Metric which shows that a 67.92% net gain for biodiversity will be achieved.

1.34 In terms of woodland enhancement within the site, a number of recommendations are made in the Report setting out how an uplift in woodland habitat condition from poor to moderate will be achieved. This includes the following:-

- Planting of native bulbs including bluebells *Hyacinthoides non-scripta*, snowdrops *Galanthus nivalis* and Lesser Celandine *Ranunculus ficaria*, the sowing of a woodland seed mix such as Emorsgate EW1F 'wildflowers for woodland mix'9 and the planting of hazel *Corylus avellana* shrubs.
- Removal of *Cotoneaster horizontalis*, from the woodland, which is a Schedule 9 non-native invasive species.
- Four large species urban trees will be planted within this section to compliment species already present. These will include 2 x heavy standard common lime *Tilia x europaea* and 2 x pedunculate oak *Quercus robur*.

1.35 The existing belt of ornamental shrubs and semi mature trees along the western boundary of the site will be retained. Existing gaps will be infilled with native mixed scrub species which will include hawthorn *Crataegus monogyna*, blackthorn *Prunus spinosa*, dogwood *Cornus sanguinea* and guelder rose *Viburnum opulus*.

1.36 The scheme is considered acceptable subject to the following conditions being attached to the application:-

1.37 Conditions:

- A Bat Working Method Statement shall be submitted to the Local Planning Authority for approval prior to development commencing on site. All building and tree works shall be undertaken in accordance with the approved Method Statement.
- A pre-checking bat assessment shall be undertaken on any trees identified for removal and any subsequent works shall be undertaken in accordance with the methods set out in the 'Bat Working Method Statement'.
- Prior to the installation of any form of external lighting, a lighting scheme shall be submitted to; and approved in writing by the Local Planning Authority. High intensity security lights will be avoided as far as practical and if required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects. Lighting must be designed to minimise light spill to adjacent boundary features such as woodland, scrub, grassland and hedgerow habitats and should be less than 2 lux in these areas.
Guidance Note 8 Bats and Artificial Lighting | Institution of Lighting Professionals (theilp.org.uk)
- A Mammal Working Method Statement shall be submitted to the Local Planning Authority for approval prior to development commencing on site and shall detail the mitigation measures employed to protect key species such as badger and hedgehog. All works shall be undertaken in accordance with the approved Method Statement.

- No vegetation removal shall take place during the bird nesting season (March-August inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.
- Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.
- 3no. bird boxes will be provided on suitable trees within the development site. Details of bird box specification and locations must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans on completion of works and permanently retained.
- 1no. integrated bat brick/feature will be provided within the new building. Details of the integrated bat brick/feature specification and location must be submitted to and approved in writing by the Local Planning Authority within 4 weeks of development commencing on site and will be installed in accordance with the approved plans and permanently retained.
- Within one month from the start on site of any operations such as site excavation works, site clearance (including site strip) for the development, a fully detailed landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include details and proposed timing of all new tree, shrub & wildflower planting and ground preparation noting the species and sizes for all new plant species (trees to be a minimum 14-16cm girth). The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 8545:2014. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.
- Prior to the commencement of any development, a 30 year 'Habitat Management & Monitoring Plan' for all habitat creation and enhancement within the application site (as set out within the 'Ecological Impact Assessment Report and Biodiversity Net Gain Statement' - V07 February 2024) shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include long term design objectives, management responsibilities, timescales and maintenance schedules for all landscaped areas. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority. The Plan will include the following:-

Details on the creation and management of all target habitats identified within the Biodiversity Net Gain Assessment Report and Metric (Darryl Birch Feb 2024) and the approved on-site landscape plan. Management prescriptions shall relate

directly to the targeted criteria required to meet the specific habitat condition assessments set out in the BNG Report.

Survey and monitoring details for all target habitats identified within the Net Gain Assessment Report (Darryl Birch Feb 2024). Monitoring Reports will be submitted to the LPA for review in years 3, 5 and 10 and 5 yearly thereafter, and will include a Net Gain Assessment update as part of the report to ensure the habitats are reaching the specified target condition. Any changes to habitat management as part of this review will require approval in writing from the LPA. The Plan will be reviewed every 5 years in partnership with the LPA.

1.38 Tree Officer

1.39 No objection, subject to conditions.

1.40 Reasons for Recommendation

1.41 The Council seeks to protect tree coverage in the Borough, sympathetically incorporating existing features into the overall design of the scheme including measures taken to ensure their continued survival.

1.42 The application is for works within Wallsend Green conservation area and proposes an extension to the doctors surgery and alterations to the existing car park. The development would require the removal of three trees (T1, T2 and T4 of the Tree Protection Plan, reference 20240801TVS Version V05). The Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan (Reference AIA/TPP/AMS_V04) also highlight the poor condition of T7, T11, T12 and T14, which are to be removed due to safety concerns and form part of the ongoing management of the site.

1.43 The site is largely screened from the adjacent highway by mature trees that form part of a small woodland to the south of the site and a thin planting strip on the western boundary that runs parallel with access road to the car park.

1.44 Whilst it is disappointing to see the removal of three trees in the conservation area to accommodate the development, the trees have limited amenity value from the surrounding public areas and the replacement planting would seek to conserve and enhance the character and appearance of the area. The works to remove the other four trees are considered acceptable due to their condition and the replacement planting of four new trees in the location of the trees to be removed (T7, T11, T12 and T14) would be supported.

1.45 In total there is the potential for seven trees to be removed on site and the four replacement trees would still result in a deficit in tree coverage for the area. The applicant has sought to address this following recommendations from the local authority ecologist. The result would see the applicant improving the condition of the existing woodland and increasing the amount of scrub planting along the western boundary. These measures would be welcomed and would conserve and enhance the character and setting of the conservation area and protect and enhance the overall condition and extent of trees and woodland and would be in accordance with Policy S5.4, DM5.5, DM5.7, DM5.9 and DM6.1 of the Local Plan (2017).

1.46 If the officer were minded to grant permission for the application, the development should be undertaken in accordance with the submitted information, but the Tree Protection Plan (Reference AIA/TPP/AMS_V04) should be updated to reflect the tree planting proposed and additional details of landscaping should be secured by condition prior to commencement to be in accordance with Policy S5.4, DM5.5, DM5.7, DM5.9 and DM6.1 of the Local Plan (2017).

1.47 Recommended Conditions: Approval subject to the following conditions;

1) Pruning works:

Any required tree works shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

Reason: To protect existing trees in the interests of amenity and wildlife value to comply with Policy S5.4, DM5.5, DM5.7, DM5.9 and DM6.1 of the North Tyneside Local Plan (2017).

2) Tree protection measures:

No development, including site clearance, shall commence on the site until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect existing trees in the interests of amenity and wildlife value to comply with Policy S5.4, DM5.5, DM5.7, DM5.9 and DM6.1 of the North Tyneside Local Plan (2017).

3) Landscaping:

A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the hereby approved development. Tree planting should consist of two heavy standard (14-16cm girth) common limes (*Tilia x europaea*) and two heavy standard (14-16cm girth) oaks (*Quercus robur*). Native shrub planting on the western boundary must include *Crataegus monogyna*, *Prunus spinosa*, *Cornus sanguinea* and *Viburnum opulus*. All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use. Any existing tree shown to be retained or trees or shrubs or hedgerow to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs or hedgerow of appropriate size and species in the next planting season.

Reason: To ensure the continuity of amenity and wildlife value afforded by the trees and hedgerow in question and in accordance with Policy S5.4, DM5.5, DM5.7, DM5.9 and DM6.1 of the North Tyneside Local Plan (2017).

2.0 External Consultees

2.1 The Green Wallsend residents Association

2.2 These are the objections by The Green, Wallsend Residents' Association ("the Association") to the above application ("the Application") in its revised form as notified by letter dated 9 May 2023.

2.3 In essence, the Association maintains its objections as made to the original Application, because they remain apposite to the revised Application, despite the reduction in the proposed development from 5 additional rooms to 3.

2.4 These submissions replace those dated 11 November 2022. They have been carefully revised and developed specifically to address the revised Application and need to be read in full since they make throughout new, detailed points relating to the revisions.

2.5 The Association

Membership of the Association is open to residents of The Green and immediately surrounding streets. Most meetings of the Association are made open to all local residents, whether members or not. Its objects include:

"the preservation and enhancement of the character of the village green at Wallsend and its surrounding environment"

"to represent the interests of its members in dealings with all those responsible for the appearance or management of the village green and the properties surrounding it and the local environment."

2.6 Ever since its inception, the Association has received communications from residents concerned about the level of traffic passing through The Green and the amount and nature of parking on The Green and surrounding streets. An open meeting held some years ago to discuss such matters was the highest attended of any meeting ever held by the Association. Recently, there has been steadily mounting concern over parking in the vicinity of The Village Green Surgery as a result of its operation.

2.7 A further open meeting of the Association to discuss traffic and parking was held at Wallsend Hall on The Green at 7pm on 23 November 2022. Whilst this was planned in advance of the Application, given the relevance of the Application to the subject-matter the Association invited the applicant (The Village Green Surgery) to attend, which it did by Dr. Alasdair Wallace and Mr. Philip Horsfield, the Practice Manager. The meeting was also attended by 19 residents and by Ms Louise Marshall, ward councillor.

2.8 In the event, the meeting was largely taken up with lively discussion about the Application. Several residents expressed great concern over the problems which would be caused by increased traffic and parking. Those living closest to the Surgery were particularly disturbed by the prospect of an exacerbation of an already difficult situation. Save for the representatives of the Surgery, no-one expressed support for the Application.

2.9 The Green

The Green is:

(1) an ancient village green, registered and protected under the Commons Registration Act 1965; as such, it is owned by the Council on a form of statutory trust as open space for the recreational use of the local inhabitants;
(2) a statutory conservation area; as such, the Council is under a duty to have special regard in reaching planning decisions to the need to preserve and enhance the character of the area.

2.10 The Green is also:

(1) the oldest man-made feature in North Tyneside after the Roman Wall (it is at least 900 years old);
(2) the only surviving village green on North Tyneside;
(3) the nearest village green to the city centre of Newcastle.

2.11 The Green is thus a uniquely precious feature of the Borough but has long been at danger of suffering “death by a thousand cuts” by a multitude of misguided acts and omissions on the part of those capable of affecting its environment, largely as a result of failures to recognise, appreciate and respect its very special character.

2.12 Relevant Local Planning Material

2.13 Character Appraisal

The Green is the subject of “The Green, Wallsend Conservation Area Character Appraisal” adopted by the Council as planning policy in October 2006. The purpose of that document is to identify what it is about The Green that is to be preserved and enhanced. That document recognised in several places the problems posed to the essential character of The Green by traffic and parking, including the injury done by the widening of the road leaving The Green to the east in 1979 (leading to Boyd Road) and “perennial parking problems”.

2.14 Neighbourhood Agreement

The Association is also a party to the Neighbourhood Agreement dated March 2009 made with the Council and others, including the then North Tyneside Primary Care Trust. In that agreement, the Council agreed (amongst many other things) to work with the community to consider issues in relation to parking and to develop measures to address concerns raised by residents.

2.15 Neither the original application nor any of its supporting documents referred to either the Neighbourhood Agreement or the Character Appraisal and appeared to have been prepared in ignorance of them. The new “Planning Statement and Heritage Assessment” refers to the Character Appraisal but not to anything which the Character Appraisal says about traffic and parking (see below) - plainly because there is no way of reconciling the effect of the Application with the terms of the Character Appraisal in this respect.

2.16 OBJECTIONS - OVERVIEW

2.17 The objections by the Association are as follows:

(1) the current use of the Surgery has already created an intolerable parking

problem on The Green and Crow Bank, which is bound to be exacerbated by the proposed expansion of the premises and the activities carried on there; this is unacceptable as a matter of safety and visual amenity and it will damage the quality of life of local residents and the character of the conservation area; the proposal fails to satisfy the Council's parking requirements by a very large margin;

(2) there will be a commensurate increase in traffic which will also be detrimental to the enjoyment of The Green by residents and visitors and contrary to the preservation and enhancement of the conservation area;

(3) there will be an unacceptable advancement of the building line towards Crow Bank, to the great visual detriment of that part of The Green:

"... views up and down Crow Bank are very evocative, with a rich, sylvan country lane feel, shrouded in tall trees and channelled by the mature sandstone boundary walls – quite special indeed in such a built-up neighbourhood as Wallsend"

(4) there will be some loss of trees; whilst it is suggested by the applicant that this is a small matter, it is to be noted that the Character Appraisal has this to say on that specific subject:

"The neighbouring Surgery is also very much out of scale, and with a more boxy, unbroken form. It is at least well hidden from view by vegetation and by siting low on its plot."

"... with the Hall's new medical and civic uses ... came the loss of much of this space – the Hall's east extension built over ornamental gardens, its west extensions ran down the drive, and the Health Centre (and eventually the Surgery) were built over the tree belts and open ground in the east."

(5) the loss of trees and their replacement with non-permeable surfaces, including the roof of the proposed extension, will contribute to rapid surface runoff, posing a potential threat to downhill land stability and contributing to flow in the combined sewer which will ultimately collect it;

(6) the above considerations, both individually and cumulatively, will adversely affect the setting of the following listed buildings:

- (a) Jasmine House;
- (b) Cross House;
- (c) The Hall.

2.18 Of the above, it is clear that the problem of parking is the most vexed and indeed the underlying factual basis for some of the others. The remainder of these submissions is devoted to it. That is not to belittle the additional objections or to suggest that they are "makeweight". The Committee is asked to give each of them and their cumulative effect full and anxious consideration.

2.19 ACTIVITY AT THE SURGERY

2.20 The “headline” point here is that whilst the application is entirely prompted by a desire for growth in the Surgery’s activities, its supporting documents seem determined to suggest that the application should be decided on the spurious basis that there will be none, or that it can be safely ignored. That is because the authors realise that any such growth simply cannot be accommodated at the site and must therefore be “air-brushed” away. It can’t be.

2.21 The revised Application adopts an even bolder tack: it seeks to argue that the existing activities at The Surgery have so damaged the character of the surrounding area that a c.20% increase in traffic and parking will make no material difference; in effect, that the area is already ruined. This “adds insult to injury”. If that were correct, it would presumably justify further future expansion of The Surgery until The Green is full from end to end with rows of parked cars between which dense two-way traffic battles for priority of passage. There is an existing problem, but it could be worse and will be worse if the Application is granted.

2.22 Original Intended Size of Operation

2.23 The original grant of planning permission for the site in 1988 was for the following:

"New Group Practice Surgery for 6 no doctors including new car parking areas for both staff and patients at land adjacent to existing Health Centre."

2.24 With hindsight, it is regrettable that the “6 no doctors” limit was not made a condition of the grant of permission so that future expansion could have been more carefully controlled. Nevertheless, it is indicative of the degree of over-exploitation that is now proposed - which can be controlled, by refusal of the Application.

2.25 It is worthy of note in passing that the adequacy of the car parking was plainly judged in 1988 by reference to the then proposed size of operation. This too emphasises the degree of over-exploitation that is now proposed.

2.26 Current Size of Operation

The application reveals that the current operation involves:

- (1) 11 doctors;
- (2) 3 practice nurses;
- (3) 5 healthcare assistants;
- (4) 1 pharmacist;
- (5) 2 managers;
- (6) 8 receptionists;
- (7) 5 data management clerks;
- (8) 4 secretaries;

- a total of 39 people, although the Transport Assessment states that there are “approximately 48 members of staff”. The practice has therefore greatly grown since inception. It is several times the size of undertaking for which planning permission was granted. The car parking remains unchanged.

2.27 There are currently either 17 or 15 consulting rooms. Since the figure of 17 is advanced by the named applicant himself (the Practice Manager Mr. Philip Horsfield) it may be assumed to be the correct figure. The Business Case also states:

“The building is owned by the partners, and currently has seventeen consulting rooms in various formats. This is not enough for our current needs, with the building running at full capacity on several days each week. We regularly “hot desk”, and two doctors have no permanent room to work from.”

2.28 Whilst doubtless intended to make another point altogether, this statement in fact makes clear why the current problem with parking exists and why it will be made worse by the proposed development.

2.29 Whilst the documents seek to stress that not all staff will be on site at any one time, no clear indication is given of typical overall staff occupancy. However, given the above remarks, it is quite clear that all 17 current consulting rooms are regularly in simultaneous use, which must mean that significantly more than 17 members of staff are usually on site.

2.30 Future Size of Operation

The above reference to “running at full capacity for several days a week” also shows incontrovertibly that the assertion in the revised Planning Statement and Heritage Assessment that “the provision of 3 additional consulting rooms will not lead to a pro rata increase in staff”¹⁰ is disingenuous. Their very purpose is to accommodate extra staff - they are consulting rooms, not store cupboards.

2.31 Indeed, the Transport Assessment states that:

“The number of patients at the site has steadily grown over the last 5 years from 10,000 to approximately 12,000. The surgery is now operating at capacity and is unable to cope with existing patient demand, hence the need for additional consulting rooms, to be able to employ more staff.”

2.32 The Business Case (which has not been revised) stated in respect of the original application for 5 more rooms:

“This extension will add 30% to our consulting room capacity, allowing us to continue to grow the practice for the benefit of our patient population.”

2.33 This must now be read as referring to an increase of 18%.

2.34 The clear upward trend and ambition for growth is obvious:

(1) the Business Case states that the actual patient figures are as follows:

2019 10,537
2020 10,881
2021 11,171
2022 11,851

(2) the aim of the practice is that this growth should continue:

“Recently we have had to turn down the offer of extra patient services in our premises, so it would be our intention to use some of the rooms flexibly to host these. For example, in the month of June, we were offered an extra practice nurse and a physician’s associate at no cost to the practice. We had to refuse these offers due to lack of rooms, and as a result our patients will not benefit from these extra services.”

2.35 ADEQUACY OF CURRENT PARKING

2.36 Current Staff Parking

The number of staff cars can readily be derived from section 5 of the Transport Assessment. Table 5.1 shows that 32 members of staff (67%) arrive by car (alone) and a further 4 (8%) arrive by car with someone else. Assuming car share is by two people, then there are $(32 + 2) = 34$ staff cars to be accommodated overall, bringing $(67\% + 8\%) = 75\%$ of staff. Thus even if each of the 17 present consulting rooms is occupied by only one member of staff and no-one else is there, the number of staff cars simultaneously on site would be typically 75% of those people. $75\% \times 17 = 13$ cars.

2.37 The true position is even worse, because those 17 people will not in fact be the only ones on site. There will also be a number of support staff. And, of course, also many patients arriving, waiting, being seen and departing, of whom “the majority (54%) travel to the site by car alone” and a further 26% travel by “car with someone else”. Thus 80% of patients arrive by car.

2.38 It is quite clear that if an operation of even the current size were the subject of an application for planning permission today it would be refused on the grounds of the gross inadequacy of parking provision. The fact that such use is established is absolutely no reason for the extension and exacerbation of an anomalous and utterly unsatisfactory state of affairs.

2.39 Current Parking Spaces

There are references in the application to both 11 and 12 spaces. A visual inspection reveals 11 marked spaces, including one designated for disabled parking.

2.40 Thus it is clear that the current parking cannot even accommodate the staff on site. That is why by 9am every day the car park is already full and cars are spilling over onto The Green and Crow Bank, parking partly (sometimes entirely) on the pavements, for a considerable distance around the entrance to the Surgery.

2.41 The burden of that is borne not by the owners of the Surgery, who have caused it, but (in descending order of suffering) by:

- (1) immediately nearby residents, whose daily lives are made a misery by it;
- (2) other local residents, for whom the amenity of their local neighbourhood is blighted by it;
- (3) the local population as a whole, many of whom use The Green as a recreational space it is intended to be and seek a tranquil and visually pleasing experience, not one spoilt by the proliferation of parked cars and their arrivals and departures.

2.42 It is material to note that the application states that hours of opening will be 08:00 - 20:00 - effectively the whole of the active day. The problem is constant and chronic.

2.43 It is further to be noted that the assertion at paragraph 3.11 of the revised Planning Statement and Heritage Assessment that “patients average travel distance to the surgery is 141.85m” simply cannot be correct. As a perusal of Figure 1.1 in the Transport Assessment will show, the Surgery is surrounded by green space to the north and east, non-residential buildings to the west and the low density housing around The Green to the immediate south. The main residential streets of Wallsend all lie significantly further away. Further, if 150 metres were the average journey length, it is incredible that 80% of patients would arrive by car (as is the case); most of them would have to be living in the surrounding trees. The figure is simply wrong. The fact is that the great majority of patients do arrive by car in considerable numbers (as the Transport Assessment admits) and do cause the problems complained of by residents. More staff and patients will cause greater problems.

2.44 INCREASED INADEQUACY OF PROPOSED PARKING PROVISION

2.45 The Council’s criteria are set out in the Transport Assessment at paragraph 1.6:

“Current parking standards for health centres, local clinics, doctors surgeries and dentists are:

- 5 spaces per consulting room;
- In addition, 1 disabled space per 20 spaces.

2.46 One thus has this situation:

Current shortfall = 78

Proposed shortfall = 91

2.47 Thus the shortfall against current criteria is increased by 13 spaces from the current 78 - an increase in shortfall of 17%. The extra rooms do not even “wash their own face”. They should be accompanied by 16 extra car parking spaces. 16 Instead, there are 3. Thus the overspill is made worse, not better. These changes are not, as suggested, “negligible”.¹⁷ It is the additional provision for parking which deserves to be described as “negligible”.

2.48 Put another way, the criteria indicate:

- (1) that there might well be up to 78 cars without on-site parking provision simultaneously present at any time during opening hours
- (2) that if the application is granted, there might well be a further 13 cars seeking to park at any one time, and the Surgery has precisely nowhere in which to put them.

2.49 The actual position is worse still. Given that the Surgery operates a “first come, first served” system, as demonstrated above staff cars alone will fill the car park (save for the disabled space if observed) before the first patient arrives. That is entirely consistent with the current situation described by local residents in their objections. The Surgery is operating without the provision of any parking for

patients at all (save for the one disabled space, if that reservation is honoured). Indeed it cannot even accommodate its own staff's cars. The massive overspill uses Crow Bank, the eastern part of The Green, and many private parking spaces at The Hall and the Health Centre, neither of which are intended for use by visitors to the Surgery.

2.50 The Surgery unashamedly intends that The Green and Crow Bank should involuntarily provide the extra car parking which The Surgery cannot. Such a result is chaos, not town planning, particularly when it represents such a blatant failure to observe the Council's own current standards.

2.51 SITE VIEW

The Committee is requested to make, either as a group or individually, an unannounced site view during a normal working day. The verbal descriptions of the problem in the objections, and even the photographs illustrating them, cannot fully convey the scene of borderline chaos imposed on the local environment by traffic and parking generated by the Surgery. There is always something going on.

2.52 The Committee is invited in particular to consider the effect on both:
(1) the character of the conservation area - a village green;
(2) the setting of adjacent listed buildings (The Hall, The Health Centre, Jasmine House, Cross House); of the increase in parking and traffic which the proposal will generate. Vehicle movements and quantities of parked traffic will both be increased. The linear parking along both sides of the road is particularly damaging to the visual impression of the area and its increase will result in significant elongation of the lines of parked vehicles.

2.53 The proliferation of parking will operate directly to the detriment of the recreational function of the village green. It will both render it visually less attractive and less capable of enjoyment. No-one wants to be sitting or playing in surrounded by cars.

2.54 The Planning Statement and Heritage Assessment acknowledges the damage to the setting of the listed buildings that might be done by the proposed additional parking bays within the site but suggests that this will be mitigated by continued screening. However, the Statement does not address at all - because it cannot satisfactorily do so - the much greater, completely unscreened visual impact of the increased parking which the development would generate outside the boundaries of the Surgery, to the great detriment of the setting of Jasmine House and Cross House in particular and the character of the conservation area in general.

2.55 The Statement also acknowledges the importance of the "the rich silvan country lane feel" of Crow Bank. Yet that too will be damaged by the increase in parking, which spills down Crow Bank and will do so even further - another point unidentified and thus unaddressed by the Statement. It is incontrovertible and unanswerable.

2.56 The Statement also notes that the Character Appraisal says (in terms) that the best thing that can be said for the present Surgery is that it is not very visible.

Yet that virtue too will be eroded by the intrusion of the proposed development towards Crow Bank.

2.57 The Committee is invited to conclude that the Conservation Officer reached the right conclusion for the right reasons in her rejection of the original proposal and that the same reasoning continues to apply to the revised proposal, leading to the same conclusion.

2.58 TAKING STOCK

The position is an absurd one. Given the current crisis of parking, and the failure of the application to make adequate provision for even its own incremental impact, it would be legally irrational and perverse to grant the Application, which would require a departure from the Council's own policy despite the enhanced protection afforded by the conservation area status of The Green and the clear conflict between the character of the area and the proposed development. It will make the lives of local residents even less tolerable and plunge the conservation area into even deeper crisis.

2.59 The Application is not just "trying to put a quart into a pint pot". It is trying to add another quart to a pint pot into which a quart has already been poured, whilst asserting that it will not result in any greater spillage. Or that if there is any greater spillage, "someone else will mop it up". Revising the Application to say, "Actually we're only going to pour in a further pint" does not retrieve the situation.

2.60 The Transport Assessment, as analysed above, not only fails to demonstrate a lack of need for any more parking provision, it conclusively demonstrates the inadequacy of the present arrangements and the exacerbation of the existing problem which will result from the granting of the application. The Transport Assessment itself accepts that:
"the additional consulting rooms do not meet current parking standards."

2.61 One further notes in the Transport Assessment (in both original and revised forms) that:
"It is recognised that there is a significant shortfall of parking currently, and the proposals will not result in any additional car parking. This has been agreed with officers at North Tyneside Council as part of pre-application discussions."

2.62 If this means simply that these facts were agreed to be true, then that is in itself a welcome acknowledgement of the fundamentally flawed nature of the proposal. If it means instead that it was "recognised" or "agreed" by officers of the Council that such considerations did not matter or could be overlooked or "worked around" then it is an alarming and irregular state of affairs, suggesting that what is in fact the major concern of local residents affected by the proposal and its major and obvious flaw was at any rate provisionally swept aside before receiving or hearing anything from those affected. The Planning Committee is not bound by any such approach and most definitely should not follow it.

2.63 The "Travel Plan" is a work of creative imagination. The very act of producing such a "wish list" of different travel behaviour by staff and patients serves as an admission that, absent such changes, there is a huge problem. It is a pure flight of fancy to suggest that habits will change. There is no nearby public

transport and little chance that anyone - including any member of staff and in particular the partners themselves - will give up their car habit with a little gentle nudge from the Surgery. The Travel Plan and associated "Car Park Management Strategy" are each an absurd basis of attempted dismissal of residents' concerns.

2.64 The only application in relation to the Surgery which would bear consideration by the Planning Committee would be one which sought to devote extra space to accommodate existing parking rather than to the expansion of the practice. That would at least be a step in the right direction. The current proposal is a large step in the wrong direction.

2.65 The revised application should be refused.

3.0 Representations

3.1 9no. objections have been received. These are summarised below.

- Adverse effect on wildlife.
- Affect character of conservation area.
- Affect setting of listed building.
- Impact on landscape.
- Inadequate parking provision.
- Loss of privacy.
- Loss of residential amenity.
- Loss of visual amenity.
- Loss of/damage to trees.
- Nuisance - dust/dirt, disturbance, noise, fumes.
- Poor traffic/pedestrian safety.
- Poor/unsuitable vehicular access.
- Traffic congestion.
- Will result in visual intrusion.
- Out of keeping with surroundings.
- Inappropriate in special landscape area.
- Not in accordance with development plan.
- Loss of trees and impact on the view from houses opposite.
- Out of keeping with maintaining the Conservation area and local green spaces.
- The current parking situation is already hazardous.
- 5 extra rooms means a 33% increase in consultations and therefore cars.
- It seems unlikely that habits will change and patients will attend by metro as suggested in the transport plan.
- Pedestrians are forced to walk in the road due to parked cars.
- Access to the bottom of Crow bank is often blocked.
- Construction of the extension will cause considerable noise nuisance and mud/dirt.
- Effect on wildlife of the construction and tree felling.
- The Hall Grounds and Green have lost quite a number of trees recently.
- Impact on birds.
- When planning was applied for in 1988 the application stated 6 no doctors and parking for staff and patients. There are now 39 permanent staff.
- Patient numbers have also increased by significant amounts.
- There may be 53 permanent staff by 2036.
- Object to the proposed increased growth of the surgery on this site.

- There has been no increase in parking since the surgery was built.
- Insufficient parking for staff and patients.
- Residents cannot park outside their homes.
- Cars block access to drives and garages.
- Insufficient road width remains between parked cars – impact on access for emergency vehicles.
- Damage has been caused to parked vehicles due to insufficient space for large vehicles.
- Parking disputes are occurring.
- Impact on the safety of pedestrians and school children walking and cycling to Burnside School.
- Vehicle parking creates blind spots.
- Damage to kerb stones from parked cars.
- The access lacks capacity.
- To address the problems the surgery could move to an area with better infrastructure or open a second branch.
- Measures to allow staff to work elsewhere could have been adopted.
- Does not preserve or enhance the conservation area.
- Residents parking permits and residents parking spaces are requested.
- There should be proper road signage and the chicanes removed.
- The 20mph speed limit is rarely adhered to.
- Reducing from 5 to 3 additional rooms does not change any of the objections previously submitted.
- The surgery has done little to address parking issues.
- Intrusive impact of parking and problems of litter.
- Loss of visual amenity.
- Disturbance from cars and noise grows during surgery hours.
- Traffic fumes.

3.2 6no. comments of support have been received. These are summarised below.

- This is the main surgery in Wallsend and is the only surgery supporting local residents by offering the latest covid booster jab.
- It needs more space to accommodate its patient list.
- The practice is very small and the extension would make it more user friendly for patients.
- The surgery is a great asset to the local community.
- The added consultation rooms will allow better healthcare and make it easier to get appointments.
- It will improve the local economy by increasing jobs, and improving the health of the workers.
- The design is sympathetic to the conservation area, and will have minimal impact on its surroundings.
- The NHS as a body is in crisis.
- Waiting lists for hospital operations and routine appointments is at an all-time high.
- I fully appreciate the problem of parking in the area.
- The parking places provided within the grounds are not ideal.
- The construction noise and dirt will not be permanent, just like any other building site.
- I fully support the application purely on medical grounds.

- The surgery has served everyone well throughout the pandemic.
- I have never had any issues parking.
- Good sympathetic design.
- Trees can be replanted elsewhere.
- It is disappointing that the number of additional consulting rooms has been reduced to 3.
- The surrounding traffic and parking are not a fault of the surgery.

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Item No: 2
Application No: 24/00041/FUL
Date valid: 12 January 2024
Target decision date: 8 March 2024
Author: Rebecca Andison
☎: 0191 643 6321
Ward: Wallsend

Application type: full planning application non major

Location: 15 High Street West, Wallsend, Tyne And Wear, NE28 8JA,

Proposal: Change of use from Retail to Bingo Lounge (sui generis)

Applicant: LOL Entertainment Ltd

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

- 1.1 The main issues for Members to consider in this case are:
- whether the principle of the proposal is acceptable;
 - the impact on surrounding occupiers; and
 - whether sufficient parking and access would be provided.

1.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this application accords with the development plan and also take into account any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The application relates to a commercial unit, located on High Street West, Wallsend. The site is located within The Forum Shopping Centre and is currently vacant.

2.2 The adjoining properties are both in retail use

2.3 The site is located within the Primary Shopping Area of Wallsend Town Centre (Primary Shopping Frontage).

3.0 Description of the Proposed Development

3.1 Planning permission is sought to change the use of the property from retail (Use Class E) to a bingo lounge (sui generis).

3.2 No external alterations are proposed. The new signage shown on the submitted plans would require a separate application for advertisement consent.

4.0 Relevant Planning History

4.1 There is no relevant planning history.

5.0 Development Plan

5.1 North Tyneside Local Plan 2017

6.0 Government Policy

6.1 National Planning Policy Framework (December 2023)

6.2 Planning Practice Guidance (As amended)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

7.0 Main Issues

7.1 The main issues to be considered in this case are:

- Principle;
- Impact on surrounding occupiers; and
- Impact on the highway network.

8.0 Principle

8.1 Paragraph 7 of NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development.

8.2 Paragraph 11 of NPPF introduces a presumption in favour of sustainable development, which amongst other matters states that decision makers should approve development proposals that accord with an up-to-date development plan without delay.

8.3 Strategic Policy S1.4 of the Local Plan states that proposals for development will be considered favourably where it can be demonstrated that they would accord with the strategic, development management or area specific policies of this Plan. Should the overall evidence based needs for development already be met additional proposals will be considered positively in accordance with the principles for sustainable development.

8.4 Policy DM1.3 Presumption in favour of Sustainable Development states that the Council will work pro-actively with the applicants to jointly find solutions that mean proposals can be approved wherever possible that improve the economic, social and environmental conditions in the area through the Development Management process and application of the policies of the Local Plan.

8.5 Policy DM3.5 states that with the Primary Shopping Areas, as shown on the Policies Map, proposals for development will be permitted in the Primary Shopping Frontages where they would:

- a. Enhance or complement the principal role of the location as an area of retail activity.
- b. Promote the vitality and viability of the centre, including proposals for residential development and conversion of upper floors.
- c. Avoid a cumulation of uses that can undermine the centre's overall retail function and character.
- d. Deliver high quality active ground floor frontages.
- e. Not result in more than three adjacent units being in the same non A1, A2 and A3 use.
- f. In the Primary Shopping Frontage not result in less than 80% of frontages being in A1, A2 and A3 use and the following factors will be taken into account in assessing the impact of a proposal:

- i. the nature of the use proposed, in particular the extent to which it would be attractive to shoppers and contribute genuinely to diversity;
- ii. the size (frontage width) and prominence of the property;
- iii. if vacant, the prospects of the property finding another A1, A2 and A3 use in the foreseeable future;
- iv. recent trends in the balance of shop and non-shop uses in the frontage, whether stable or changing, and at what pace;
- v. which would result in an A1, A2 and A3 frontage of between 75% and 80% will normally be more acceptable than those which result in a level below 75%.

8.6 Local Plan Policy AS8.2 (The Forum Shopping Centre, Wallsend) states that to improve the overall quality of retail provision in Wallsend and contribute to identified requirements for the provision of comparison retail floorspace, the Council will continue to provide support for main town centre uses at The Forum Shopping Centre, as shown on the Policies Map, including the extension to the west, that:

- a. Enhance the role of The Forum Shopping Centre at the heart of the primary shopping area in Wallsend;
- b. Provide a new retail floorspace to serve the town and wider community;
- c. Enhance the internal and external appearance of the shopping centre making the area attractive to shoppers and visitors;
- d. Would deliver enhanced community facilities and services for the whole of Wallsend, alongside the existing improved library services;
- e. Provide improved and accessible parking provision that is available for use by shoppers at the supermarket, The Forum and the town centre as a whole.

8.7 The application site is located within the Primary Shopping Area (Primary Shopping Frontage) of Wallsend Town Centre. It is currently vacant having previously been in retail use.

8.8 Policy DM3.5 requires consideration to be given to how proposals would impact on the proportion of Primary Shopping Frontage (PSF) being used for purposes other than A1, A2 and A3 use. Since this policy was written the use classes have been amended with the result that the former 'A' classes now fall within Use Class E, which encompasses a far wider range uses, including offices,

sport, recreation and light industrial. Premises can change between any of the E use classes without requiring planning permission.

8.9 It is therefore considered that a more appropriate assessment is how the proposal would impact on the number arcades, casinos and betting shops within the PSF and the town centre. This type of use is classed as 'sui generis' and excluded from Use Class E.

8.10 An analysis of properties within the town centre shows that there are currently three amusement arcades and betting shops within the PSF and three betting shops which lie outside the PSF. In addition, there are four pawnshops/cash convertor shops within the town centre (also sui generis) of which two lie within the PSF. As there are currently 79 units within Wallsend's PSF, this results in 3.8% being in some form of gambling/betting use (6.3% including the pawn/cash convertor shops). With the proposal these figures would increase to 5.1% and 7.6%.

8.11 The proposed use as a bingo lounge is different in character to the other uses within the area which comprise betting shops and amusement arcades. There are no existing bingo halls within the town centre. It would bring a vacant unit back into use and introduce an alternative customer focused use into the town centre. In officer opinion it would not result in an over proliferation of uses or harm the vitality or viability of the town centre.

8.12 It is officer opinion that the principle of the proposed use is acceptable and complies with the aims of Policies DM3.5 and AS8.2.

9.0 Impact on Amenity

9.1 NPPF paragraph 191 states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

9.2 Policy S1.4 of the Local Plan states that development proposals should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

9.3 DM5.19 states that development proposals that may cause pollution either individually or cumulatively of water, air or soil through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, and other pollutants will be required to incorporate measures to prevent or reduce their pollution so as not to cause nuisance or unacceptable impacts on the environment, to people and to biodiversity. Development that may be sensitive (such as housing, schools and hospitals) to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive areas unless satisfactory mitigation measures can be demonstrated.

9.4 Policy DM6.1 (b and f) states that proposals should demonstrate a positive relationship to neighbouring buildings and spaces and a good standard of amenity for existing and future residents and users of buildings and spaces.

9.5 The site is located within a predominantly commercial area of the town centre. There are residential flats above some of the nearby commercial units but no residential properties adjoining the site. The proposed opening hours are from 09:00 to 02:00.

9.6 The Manager of Environmental Health has provided comments and raises no objections. To address noise arising from the machines it is recommended that a condition is imposed requiring the provision of a noise scheme. Further conditions are recommended in respect of the opening and delivery hours and external plant.

9.7 When taking into account the nature of the proposed use and location of the site it is considered that the development is acceptable in terms of the impact on existing occupiers and accords with Policies S1.4, DM6.1 and DM5.19.

10.0 Highways Impacts

10.1 NPPF paragraph 115 makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.2 NPPF paragraph 116 states, amongst other matters, that applications for development should give priority first to pedestrian and cycle movements both within the scheme and with neighbouring areas and address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

10.3 Policy DM7.4 'New Development and Transport' states that the Council and its partners will ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support residents health and well-being:

- a. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footways and cycle routes. Connections will be integrated into existing networks with opportunities to improve connectivity identified.
- b. All major development proposals likely to generate significant additional journeys will be required to be accompanied by a Transport Assessment and a Travel Plan in accordance with standards set out in the Transport and Highways SPD (LDD12).
- c. The number of cycle and car parking spaces provided in new developments will be in accordance with standards set out in the Transport and Highways SPD (LDD12).
- d. New developments will need to demonstrate that existing or proposed public transport services can accommodate development proposals, or where

necessary, identify opportunities for public transport improvements including sustainable access to public transport hubs.

e. New developments in close proximity to public transport hubs, whenever feasible, should provide a higher density of development to reflect increased opportunities for sustainable travel.

f. On developments considered appropriate, the Council will require charging points to be provided for electric vehicles in accordance with standards set out in the Transport and Highways SPD (LDD12).

10.4 The Transport and Highways SPD sets out the Council's adopted parking standards.

10.5 The site does not include any off-street parking. It is located within Wallsend town centre and has excellent links to public transport. There are also pay and display car parks and parking controls within the vicinity of the site. The Team Leader - New Developments (Highways) has provided comments and raises no objections.

10.6 It is therefore officer opinion the proposal is acceptable on highways grounds.

11.0 Local Financial Considerations

11.1 Paragraph 11 of National Planning Practice Guidance states that Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local financial consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local financial consideration as a grant or other financial assistance that has been, will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

11.2 Whether or not 'a local financial consideration' is material to a particular decision will depend on whether it could help make the development acceptable in planning terms. It is considered that the creation of jobs is material in terms of making this development acceptable in planning terms.

12.0 Conclusion

12.1 Members should consider carefully the issues before them and take in account national policy within NPPF and the weight to be accorded to this as well as current local planning policy.

12.2 At the heart of the NPPF is a presumption in favour of sustainable development, which for decision making means approving development proposals that are in accordance with an up-to date development plan without delay.

12.3 The application site is located within the designated town centre and the proposal would assist in bringing an existing vacant building back into active use. There are no other bingo lounges in the surrounding area, and it is not therefore considered that it would result in an over proliferation of similar uses. It is officer opinion that the principle of the proposed use is acceptable.

6. There shall be no deliveries or collections outside the hours of 07:00 to 23:00.

Reason: To safeguard the occupiers of adjacent properties from undue noise of other associated disturbance having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

7. The premises shall not open for business outside the hours of 09:00 to 02:00.

Reason: To safeguard the occupiers of adjacent properties from undue noise of other associated disturbance having regard to policy DM5.19 of the North Tyneside Local Plan (2017).

8. Noise No Tannoys Externally Audible NOI002 *

9. Flood Lighting Scheme Details LIG001 *

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraph 38 of the National Planning Policy Framework.

Informatives

Do Not Obstruct Highway Build Materials (I13)

Contact ERH Erect Scaffolding on Rd (I12)

No Doors Gates to Project Over Highways (I10)

Highway Inspection before dvlpt (I46)

The applicant is advised that end users will not be eligible for any parking permits in this area and the onus will be on the developer to convey this information to these users. Contact Parking.control@northtyneside.gov.uk for further information.

The applicant is advised that it is an offence under the Highways Act 1980 to store refuse or refuse bins on the highway other than on designated collection days. Contact New.Developments@northtyneside.gov.uk for further information.

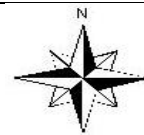
Consent to Display Advertisement Reqd (I04)



Application reference: 24/00041/FUL
Location: 15 High Street West, Wallsend, Tyne And Wear, NE28 8JA
Proposal: Change of use from Retail to Bingo Lounge (sui generis)

Not to scale
 Date: 26.02.2024

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 AC0000820329



Consultations/representations

1.0 Internal Consultees

1.1 Team Leader - New Developments (Highways)

1.2 This application is for a change of use from retail to bingo lounge. The site is long-established and is in Wallsend town centre (Forum), with excellent links to public transport and parking controls in the vicinity of the site. End users will not be entitled to parking permits in this area and the onus is on the developer to convey this information to the end users. Approval is recommended.

1.3 Recommendation - Approval

1.4 Informatives:

The applicant is advised that it is an offence to obstruct the public highway (footway or carriageway) by depositing materials without obtaining beforehand, and in writing, the permission of the Council as Local Highway Authority. Such obstructions may lead to an accident, certainly cause inconvenience to pedestrians and drivers, and are a source of danger to children, elderly people and those pushing prams or buggies. They are a hazard to those who are disabled, either by lack of mobility or impaired vision. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that a license must be obtained from the Highways Authority for any scaffold placed on the footway, carriageway verge or other land forming part of the highway. Contact Streetworks@northtyneside.gov.uk for further information

The applicant is advised that no part of the gates or doors may project over the highway at any time. Contact New.Developments@northtyneside.gov.uk for further information.

The applicant is advised that they should contact Highway Maintenance to arrange for an inspection of the highways adjacent to the site. The applicant should be aware that failure to do so may result in the Council pursuing them for costs of repairing any damage in the surrounding area on completion of construction. Contact Highways@northtyneside.gov.uk for further information.

The applicant is advised that end users will not be eligible for any parking permits in this area and the onus will be on the developer to convey this information to these users. Contact Parking.control@northtyneside.gov.uk for further information.

The applicant is advised that it is an offence under the Highways Act 1980 to store refuse or refuse bins on the highway other than on designated collection days. Contact New.Developments@northtyneside.gov.uk for further information.

1.5 Manager of Environmental Health (Pollution)

1.6 The premises are located within a dedicated shopping complex. Noise may arise from the machines installed at the site and therefore a noise scheme will be required to noise breakout is minimised for neighbouring units The noise scheme will also need to address any plant and equipment installed at the site.

1.7 Prior to operation a noise scheme must be submitted to the Local Planning Authority for approval that must be implemented and thereafter retained to minimise noise impacts from the activities carried out at the premises to ensure neighbouring units are afforded suitable mitigation via sound attenuation schemes.

1.8 Conditions:

- New External Plant

No new plant or equipment to be installed at the premises unless a noise scheme has been submitted in accordance with BS4142 to determine the background noise level without the plant noise operating at the boundary of the nearest sensitive receptor and appropriate mitigation measures taken where necessary to ensure the rating level of plant and equipment does not exceed the background noise.

- Delivery and collections to be restricted to 0700-2300 hours

- HOU03 To those on application

- HOU04

- NOI02

- LIG01 for any new external lighting

1.9 Manager of Environmental Health (Contaminated Land)

1.10 As there is no alteration to the building footprint, I have no objection.

2.0 External Consultees

2.1 Newcastle Airport

2.2 The proposal has been assessed by the Aerodrome Safeguarding Team and given its location and modest nature it is not considered that the proposal would result in any detriment to the safe operations of the Airport. NIA would not therefore offer any objection to this application.

3.0 Councillor Comments

3.1 Councillor Louise Marshall

3.2 I would like this decision referred to full planning committee, please.

3.3 At last count Wallsend had four gambling outlets in the space of what is probably less than 100m, and this is on top of poker machines in the Forum Markets and probably others located in the many pubs.

- Admiral

- Bet Fred

- William Hill

- Ladbrokes

3.4 And there is another Bet Fred on High Street East.

3.5 The High Street does not need another gambling outlet in an area which already faces well above-average deprivation.

3.6 The appearance of Wallsend will never change if council continues to allow a proliferation of betting outlets.

3.7 There is information in the Risk Assessment document which is incorrect.

Local Risk Profile:

The Shopping Centre and High St does attract children on occasions, however this tends to be sporadic in nature

3.8 This is simply untrue. Wallsend High Street is a busy place which attracts many young people under 18 as well as parents with young children. Where is their evidence to back up this statement?

3.9 Establishments of note:

There was 1 AGC (Adult Gaming Centre) within the immediate vicinity – a small Admiral shop – no Bingo appears to be evident. A Bet Fred bookmaker shop trades approx. 100m from the entrance to the proposed lounge. With a William Hill trading a similar distance away in the opposite direction.

3.10 There is also a Ladbrokes in the vicinity which they have conveniently omitted. Not to mention the second Bet Fred further away, together with an array of poker machines at various establishments. When these are included the picture is very different.

3.11 Adjoining premises:

The Bingo club is proposed to be located within a small parade of shops. The unit in question is next to a Pharmacy (to the left) and a Savers (to the left). Other shops that also exist within the parade (other than those mentioned include a Barclays Bank (closed) and a Hair academy lobby. No business which would attract children.

3.12 There are frequently children who accompany adults to those businesses, and plenty of young people under 18 on the High Street. This statement is patently untrue.

3.13 Deprivation

The area of North Tyneside suffers from above national average crime and the specific post code sits in top decile of the index of multiple deprivation.

3.14 This along should be enough to stop any further gambling establishments in Wallsend town centre.

3.15 Further the document states:

Deprivation: The area has a lower rate of home ownership (via a mortgage or owned outright) than the national average, which suggests that the area is a poor area. Since all home ownership is lower than the national average and all rented accommodation levels are higher than the national average, this also suggests an area of economic deprivation.

Local Risks

Vulnerable and addiction support services Anxious Minds, The Vault 31 Station Road, Wallsend, North Tyneside NE28 6RL Wallsend Community Mental Health Team Adults Health Centre, The Green, Wallsend NE28 7PD Recovery Health Centre, Atkinson Terrace, Wallsend NE28 6SS Salvation Army, Union St, Wallsend NE28 6BW

3.16 Isn't the drug clinic operating out of the rear of the library missing from this list?

3.17 Pawnbrokers and Loan Shops H&T Pawnbrokers, 28 High St E, Wallsend NE28 8PQ.

3.18 How about the other three pawn shops located near the intersection of Station Road and High Street.

3.19 Public Houses and Alcohol Licensed Premise The Ritz, 85-87 High St W, Wallsend NE28 8JD Anson, The Forum Shopping Centre, Station Rd, Wallsend NE28 8QS

3.20 They have not included: The Ship, The Queens Head, The Anchor, the Philanthropist which gives a very different perspective

3.21 Additional questions:

- Is it planned for this venue to have an alcohol licence?
- I am not against bingo halls overall, it is more the placement of this particular venue.
- It will be placed between two very busy shops, Savers and the pharmacy and on a busy stretch of the high street. It will become the fifth gambling outlet in a space of less than 100m and this does not include the poker machines in pubs and in the Forum.
- The proposed shopfront will be very attractive to those with gambling addictions and also young children given the use of emojis.

4.0 Representations

4.1 1no objection has been received.

4.2 The objection has been submitted by RR Planning Ltd on behalf of their clients who trade from nearby presides. The concerns are summarised below.

- Harm to the vitality and viability of the town centre and non-compliance with policy.
- Will add to the existing concentration of betting shop and other licenced gaming premises in the immediate vicinity of the site.
- Fails to comply with part a of DM3.5 and does not enhance or complement the principal role of the primary shopping frontage as an area of retail activity.
- Results in the loss of a retail unit.
- Fails to comply with part c of DM3.5 as the proposal will result in the fifth gaming establishment in the immediate area.
- Cumulative harm to the overall retail function and character of the area.

- Will be the second large gaming premises in the subject frontage and will diminish retail character.
- The relevant shopping frontage has a length of approximately 87.5m of which 26.5m or 30.2% of the frontage will be in sui generis licensed gaming establishment use.
- The position of the two licensed gaming premises at either end of the key frontage unduly breaks up the primary shopping frontage and isolates the retail uses in between.
- Vacancy is not sufficient enough justification in this instance to set the clear breach of adopted local plan policy aside.
- Permitting the subject proposal will set a harmful precedent.

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North Tyneside Council Report to Planning Committee Date: 07 03 2024

ITEM

Title: 13 Queens Road,
Whitley Bay, Tyne and
Wear Tree Preservation
Order 2023

Report from Directorate: Environment, Housing and Leisure

Report Author: John Sparkes, Director of Regeneration and
Economic Development

Wards affected: Monkseaton North

1.1 Purpose:

To consider the above Tree Preservation Order for a single hawthorn tree taking into account any representations received in respect of the Order.

1.2 Recommendation(s)

Members are requested to consider the representations to the 13 Queens Road, Whitley Bay, Tyne and Wear Tree Preservation Order 2023 and not confirm the Order.

1.3 Information

- 1.3.1 Trees in a conservation area that are not protected by an Order are protected by the provisions in section 211 of the Town and Country Planning Act 1990. These provisions require people to notify the local Council, using a 'section 211 notice', 6 weeks before carrying out certain work on such trees, unless an exception applies. The work may go ahead before the end of the 6 week period if the local planning authority gives consent. This notice period gives the Council an opportunity to consider whether to make an Order on the tree.
- 1.3.2 The notice to fell the single hawthorn tree (23/01022/TREECA) in Monkseaton conservation area was assessed and in this case the Council decided to make a Tree Preservation Order (TPO) for the tree. The Order was served in August 2023 (Appendix 1).
- 1.3.3 One letter of objection has been received following the Council's decision to serve a TPO on the tree from the owner of the tree. A copy of the representation is included as Appendix 3 to this report. The grounds of objection can be summarised as follows:
- Previous application to remove a laburnum because of similar issues was approved in 2016.
 - The root system of the tree has damaged the adjacent wall and poses a risk to pedestrians.
 - Proximity of the tree to the water supply and the roots may fracture the supply pipe and it is also in close proximity to the telephone pole.
 - The crown overhangs the pavement and pose a risk to passing pedestrians.
 - Removal is part of a planned set of landscaping works to the front garden, which include a replacement tree to be planted.

- The tree has a low amenity value and is in poor condition even though it has been maintained for the past 11 years. It is a hedgerow species and does not contribute positively to the streetscape.

1.3.4 A summary of the objections are listed below. The Council has responded to each of the objections:

- a) Previous tree removed for similar issues.
- b) Damage to boundary wall and potential impact on water supply, telephone wires and pedestrians.
- c) Removal would be part of wider landscaping works with a replacement tree to be planted.
- d) The tree does not provide a high level of amenity and therefore should not be considered worthy of protection by a TPO
- e) Concluding remarks

a) Previous tree removed for similar issues

1.3.5 The site previously had a laburnum tree of a similar size in the front garden adjacent to the boundary wall and highly visible from the street scene which the local authority accepted could be removed in 2017 (16/00060/TREECA).

1.3.6 Each application is considered on its merits and when determining the removal of the laburnum, the retention of the hawthorn would have been an important consideration. It is a mature specimen, providing canopy cover to the front garden and its removal would have reduced the impact on amenity value to the local area.

1.3.7 In determining the recent application to fell the hawthorn (23/01022/TREECA) the local authority decided to adopt a provisional TPO. This allowed additional time for the local authority to consider the case for protecting the tree with a TPO. The loss of the previous laburnum tree in 2017 increases the importance of the remaining hawthorn tree.

b) Damage to boundary wall and potential impact on water supply, telephone wires and pedestrians.

1.3.8 Evidence has been submitted (Appendix 3, 5 and 6) asserting that the tree is causing damage to the adjacent brick wall of the owners property and potential impact to the water supply, telephone wires and pedestrians.

1.3.9 The displacement of the wall appears to be caused by pressure from the roots of the tree, but no detail or information has been submitted to establish if the wall can be repaired whilst retaining the tree. As the wall will need to be repaired to ensure its safety and alleviate any concerns, the wall could be taken down and rebuilt with an option of incorporating a concrete lintel in the foundation to 'bridge over' tree roots to stop any pressure. However, further investigation by an appropriate person, builder or engineer who could provide further advice and suggest methods for protecting the tree roots and repairing the wall should be provided.

1.3.10 There is no evidence of the tree having an impact on the water infrastructure, even though it is in close proximity to it. Trees co-exist with many underground pieces of infrastructure without causing a nuisance and there is no clear justification to remove the tree based on a perceived threat.

1.3.11 The tree has previously been regularly pruned, which has resulted in the tree having a managed form that prevents it causing a nuisance to telephone wires and the adjacent footpath. There is no reason why this previously agreed management of the tree could not be continued to alleviate any potential nuisance of the tree.

c) Removal would be part of wider landscaping works with a replacement tree to be planted

- 1.3.12 The proposed works to remove the tree are part of the owners' redesign of the front garden, which include the removal and replacement of the tree in question (Appendix 4). The owners claim the tree to be in poor condition, but this does not appear to be the case and it would be anticipated that the tree would survive for several more years and due to its species type, cope with the continued management of its crown, with limited impact to its overall condition.
- 1.3.13 The justification to remove the tree based on redesigning the front garden would not be a justification to remove a tree. The tree is a mature specimen and there are no arboricultural reasons to remove the tree. The landscaping plans could be amended to accommodate the tree and still achieve a redesign including the benefits listed, such as a raised bed and gravel drainage.

d) The tree does not provide a high level of amenity and therefore should not be considered worthy of protection by a TPO

- 1.3.14 The tree is a hawthorn, which as highlighted by the owners, is a common native hedgerow species, but it is also a common street tree. The tree provides wildlife benefits and is able to tolerate urban environments, being robust enough to endure regular pruning, if required. The tree has an amenity value that is worthy of protection and this was the justification for the provisional TPO.

e) Concluding remarks

- 1.3.15 Whilst many of the reasons submitted to justify the removal of the tree are not considered justified, the authority is mindful of the amenity value of the tree in regard to the existing street trees along Queens Road.
- 1.3.16 On reflection the authority would agree with the owners that there are several mature trees in close proximity to the tree in question and many others that stretch along Queens Road. These street trees are the principal assets to shaping the character and appearance of the area and have a far greater impact on the amenity value to the local area than the tree in question. The loss of the tree would have a detrimental impact on the overall canopy cover and reduce the amenity value of the local area, but its loss would not be of such significance that it would justify the tree being retained. On balance the loss of the tree would be accepted.
- 1.3.17 The authority cannot require a replacement tree to be planted in a conservation area if it is not subject to a TPO (provided it is not dead, dangerous and not removed without consent). Therefore, even though the owners are clear with their intentions to plant a replacement, there is no power at the disposal of the local authority that would require them to plant a replacement tree. It would be at the owners' discretion to plant a replacement or not.
- 1.3.18 It is not uncommon for the local authority to place a TPO on a tree, with the intention of seeking a future replacement tree to ensure the character and appearance of the conservation area is preserved and enhanced in accordance with Policy DM6.6 of the Local Plan (2017) and to maintain the authority's commitment to protect and enhance the overall condition and extent of trees in the Borough in accordance with Policy DM5.9 of the Local Plan (2017), but on reflection the officer considers the loss of the tree to be acceptable.

1.3.19 In accordance with the Town and Country Planning Act 1990 (as amended) the Authority considered it necessary to issue a Tree Preservation Order to consider the contribution made by the tree to the landscape and visual amenity of the area. The Tree Preservation Order was served on the owners and other relevant parties on 30th August 2023. A copy of this original Order is attached as Appendix 1 and the map is attached as Appendix 2.

1.3.20 The date to confirm the Order passes on 29th February 2024. Members are asked to consider the report as recognition as to the merits of the tree and the officers recommendation.

1.4 Decision options:

1. To confirm the Tree Preservation Order with no modifications.
2. To confirm the Tree Preservation Order with modifications.
3. To not confirm the Tree Preservation Order.

1.5 Reasons for recommended option:

Option 3 is recommended. A Tree Preservation Order would not be justified based on the points above.

1.6 Appendices:

Appendix 1 – 13 Queens Road, Whitley Bay, Tyne and Wear Tree Preservation Order 2023.

Appendix 2 – Map of 13 Queens Road, Whitley Bay, Tyne and Wear Tree Preservation Order 2023.

Appendix 3 – Objection from 13 Queens Road, Whitley Bay.

Appendix 4 – Landscape drawing submitted by 13 Queens Road, Whitley Bay.

Appendix 5 – Photograph 1 Impact of tree on boundary wall.

Appendix 6 – Photograph 2 Proximity of the tree to the water supply.

1.7 Contact officers:

Peter Slegg (Tel: 643 6308)

1.8 Background information:

The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author:

1. Town and Country Planning Act 1990.
2. Planning Practice Guidance (As amended)
3. The Town and Country Planning (Tree Preservation) (England) Regulations 2012

Report author Peter Slegg

Town and Country Planning Act 1990
The Council of the Borough of North Tyneside (13 Queens Road, Whitley Bay) Tree Preservation Order 2023

The Council of the Borough of North Tyneside in exercise of the powers conferred on them by sections 198 of the Town and Country Planning Act 1990 hereby make the following Order—

Citation

1. This Order may be cited as the 13 Queens Road, Whitley Bay Tree Preservation Order 2023.

Interpretation

2. (1) In this Order “the authority” means the Council of the Borough of North Tyneside

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.—(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4.—In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this Wednesday 30th August 2023

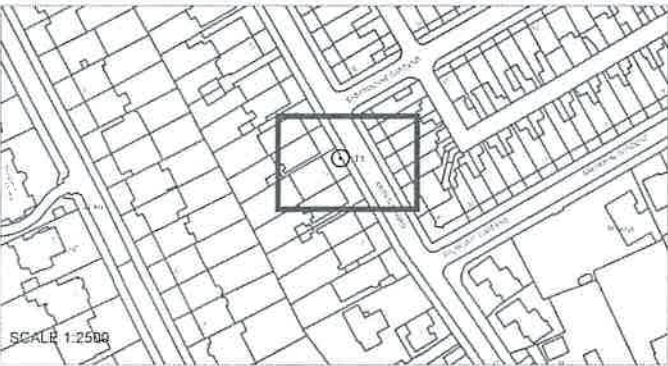
The Common Seal of the
Council of the Borough of North Tyneside
was affixed to this order in the presence of:



Authorised Signatory



14767



Dated this day: **25 August 2023** (date)

The Common Seal of the Council of the Borough of North Tyneside was affixed to this Order in the presence of:




[Signature]
(Authorised Signatory)

14767

JOHN SPARKES
DIRECTOR OF REGENERATION AND ECONOMIC DEVELOPMENT

QUADRANT EAST
THE SILVERLINK
COBALT BUSINESS PARK
NORTH TYNESIDE
NE27 0BY

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NORTH

NORTH TYNESIDE COUNCIL
TREE PRESERVATION ORDER 2023

13 QUEENS ROAD
WHITLEY BAY

TREE PRESERVATION ORDER 2023
13 QUEENS ROAD, WHITLEY BAY

SCHEDULE

The map referred to is at a scale of 1:500 and is based on an enlargement of the O.S. edition of sheet numbered NZ3472. The area covered by the Order is on land at 13 Queens Road, Whitley Bay, NE26 3AN. The area is wholly within the Metropolitan Borough of North Tyneside in the County of Tyne and Wear.

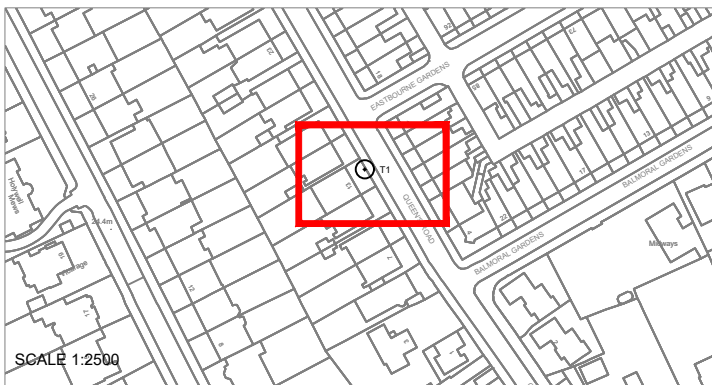
SPECIFICATION OF TREES

TREES SPECIFIED INDIVIDUALLY (encircled in black on the map)		
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Hawthorn (<i>Crataegus sp.</i>)	Located approximately 6.5m in an easterly direction from the northern corner of 13 Queens Road Whitley Bay.

TREES SPECIFIED BY REFERENCE TO AN AREA (within a dotted black line on the map)		
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None		

GROUPS OF TREES (within a broken black line on the map)		
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None		

WOODLANDS (within a continuous black line on the map)		
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None		



Dated this day :
(date)

The Common Seal of the Council of
 the Borough of North Tyneside was
 affixed to this Order in the presence of :

 (Authorised Signatory)

JOHN SPARKES
 DIRECTOR OF REGENERATION AND ECONOMIC
 DEVELOPMENT

QUADRANT EAST
 THE SILVERLINK
 COBALT BUSINESS PARK
 NORTH TYNESIDE
 NE27 0BY

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NORTH TYNESIDE COUNCIL
TREE PRESERVATION ORDER 2023

13 QUEENS ROAD
WHITLEY BAY

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Re Tree Protection Order 13 Queens Road, Whitley Bay, NE26 3AN

Dear Mr D Parkin,

We write to appeal the decision to place a Tree Preservation Order on the hawthorn tree at the front of our property. We outline our reasons for this below and request approval to remove the tree and replace it with a more suitable species in a more appropriate location.

It is our belief that this tree, of hedgerow species, has low amenity value and does not contribute positively to the streetscape. There is a large mature tree located 6.5m from this tree within the footpath outside the property; removal of the hawthorn will cause little effect on the visual appearance of the street.

The root system has damaged the adjacent wall, illustrated in the image attached. The instability of the wall is worsening and poses a risk to pedestrians.

The tree is in very close proximity to the water supply as detailed in the photograph supplied, it is possible that roots may fracture the supply pipe. The tree is also in very close proximity to the telephone pole with numerous wires crossing; this poses a risk in adverse weather conditions.

The crown overhangs the pavement and drops branches in moderate wind or heavy rain, falling branches pose a risk to passing pedestrians.

The crown is in poor condition despite the work undertaken by arborists in the 11 years we have lived at the property.

The proposed felling is part of a wider landscaping project at the front of our property for which we have employed the services of a professional landscape architect. The proposed design is attached. The benefits of this work are as follows:

- existing tarmac will be replaced with a scheme to include sympathetic raised bed planting which will significantly contribute to the aesthetics of the street
- off-street charging for a second electric vehicle providing a positive environmental impact
- the additional parking created will enhance the visual appearance of the street and reduce pressure for on street parking

- the hawthorn will be replaced with a more suitable tree in the opposite corner of the front garden, complimenting the existing large tree.
- the replacement of the existing tarmac with planting areas and gravel will create sustainable urban drainage significantly reducing surface run off

A previous application in 2016 to remove a laburnum causing similar issues to this hawthorn was approved.

We believe the removal of this tree and proposed landscaping will improve the aesthetic of the local area and provide environmental benefit.

Yours faithfully,

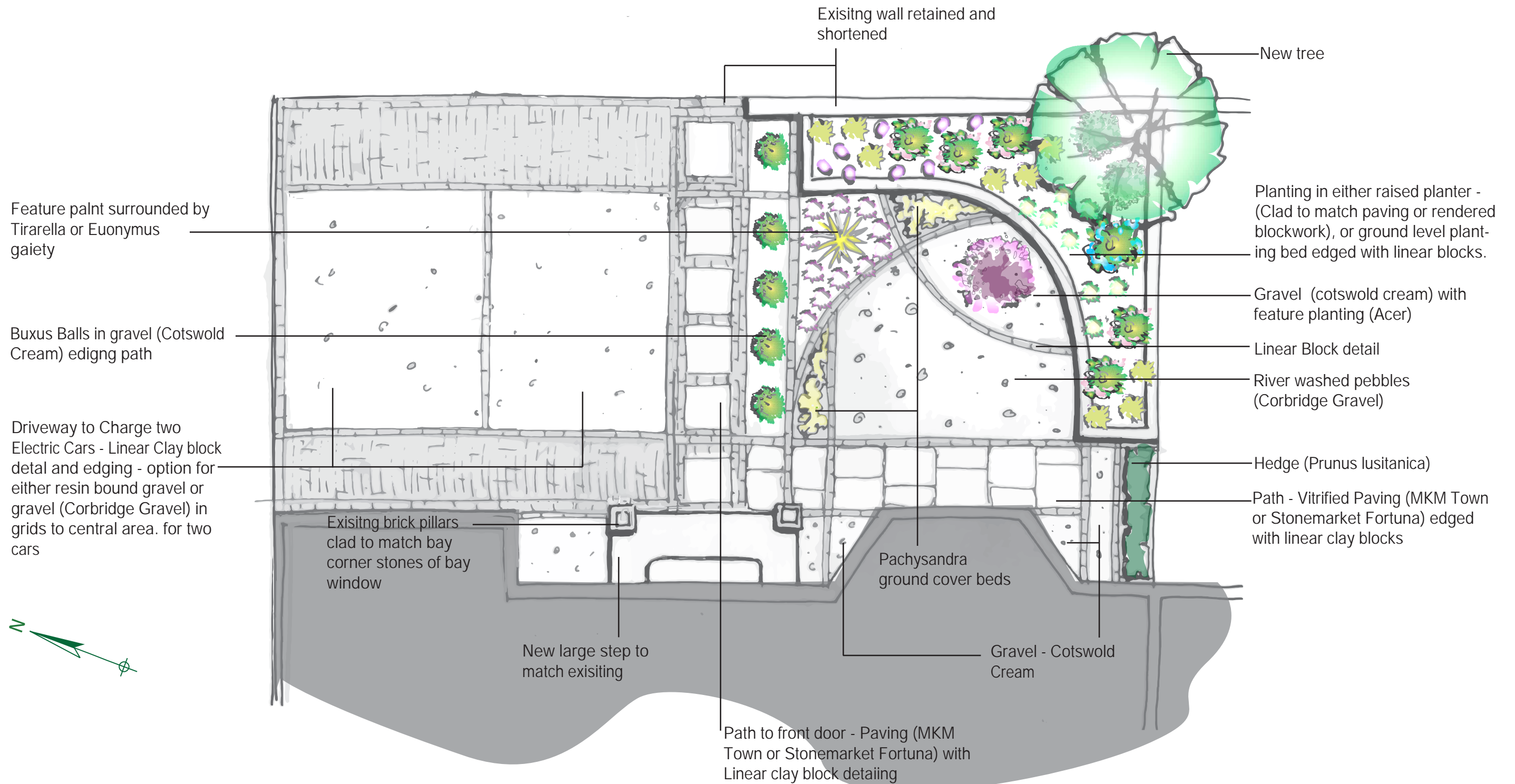
A solid black rectangular box used to redact the signature of the sender.

Queens Road, Monkseaton - Front Garden

Sketch Design

Revision 1a

Page 111



Plan View

TITLE	: Sketch Design - Revision 1a
REF	: EG10551SkD-rev1a
SCALE	: 1:50 @ A3
DATE	: August 2023
CLIENT NAME	: [REDACTED]
SITE ADDRESS	: 13 Queen's Road, Whitley Bay NE26 3AN

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North Tyneside Council Report to Planning Committee Date: 07 03 2024

ITEM

Title: Bird Street/Walker
Place, North Shields
Tree Preservation Order
2023

Report from Directorate: Environment, Housing and Leisure

Report Author: John Sparkes, Director of Regeneration and
Economic Development

Wards affected: Tynemouth

1.1 Purpose:

To consider the above Tree Preservation Order for a tree taking into account any representations received in respect of the Order.

1.2 Recommendation(s)

Members are requested to consider the representation to Bird Street/Walker Place, North Shields, Tree Preservation Order 2023 and confirm the Order.

1.3 Information

- 1.3.1 The Council were notified of the intention to remove a poplar on the corner of Bird Street/Walker Place, North Shields by a section 211 notice of the Town and Country Planning Act 1990 (23/01287/TREECA). These works were assessed, and the Council decided to make a Tree Preservation Order (TPO) (Appendix 1) for the poplar tree in question. The Order was served in October 2023.
- 1.3.2 One representation of support was submitted with the application (23/01287/TREECA). A copy of the representation is included as Appendix 4 to this report. The representation highlights the poor health of the tree and the view that it will continue to suffer due to the development activity in the immediate vicinity impacting on its future growth and the tree should be replaced with an appropriate replacement.
- 1.3.3 Seven representations of objection were submitted with the original application (23/01287/TREECA). A copy of the representations are included as Appendix 5 to this report. The representations claim the tree to be in good health and a home for various birds to nest in. Its removal would erode the visual amenity of the area. The representations highlight the loss of multiple trees in the conservation area and on this site by a previous developer, which has increased the importance of this last remaining tree. The comments point to the Council climate change pledge and how the Council should seek to retain trees and how every tree matters in an increasingly urban environment.
- 1.3.4 The representations also refer to the conditions agreed for the recent residential development (17/00835/FUL) that included tree protection measures, requiring the tree in question to be retained and protected from damage during construction works.
- 1.3.5 One objection has been received following the Council's decision to serve a TPO from the owners of the tree. A copy of the representation is included as Appendix 3 to this report.

1.3.6 The objection to the TPO highlights the poor condition of the tree and how a TPO would not be appropriate. They believe the tree to be dead, dangerous and dying and a TPO should not be adopted contrary to guidance from the Secretary of State. The owners stress how they are keen environmentalists and avid ornithologists and are willing to plant a replacement tree in accordance with the local authority Tree Management policy (2022) to support a range of wildlife. They believe the importance of the tree to the character and appearance to the conservation area appears to be non-existent and would disagree that its impact on the local environment is significant.

1.3.7 The Council Response

The Council has responded to the main issues and are addressed below:

- a) The tree does not qualify to be adopted with a TPO;
- b) Support for the tree to be retained;
- c) Concluding remarks.

a) Objection and argument the tree does not qualify to be adopted with a TPO

1.3.8 In serving a TPO, the authority must be able to show that protection of the tree would bring a reasonable degree of public benefit in the present or future. As defined by the government's 'Tree Preservation Orders and Trees in Conservation Areas' '*Amenity*' is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order. Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public'. To evaluate amenity, the TEMPO assessment (Tree Evaluation Method for Evaluating Preservation Orders) was used to assess the suitability of a tree for a TPO. This is a widely recognised and respected method of valuation which takes into account factors such as a tree's visibility to the public, its condition, age and remaining life-expectancy, its function within the landscape (such as screening development or industry), its wildlife or historic value and ultimately its importance to the local environment. Furthermore, the tree(s) usually need to be under an immediate or foreseeable threat to warrant protection.

1.3.9 With regard to amenity, the tree(s) need to be visible from public places, usually the public highway, footpaths and open spaces. In this case the tree is highly visible from a public highway and footpaths. The poplar tree is an individual specimen and considered to have a high degree of visual prominence, making an important contribution to the character and appearance of the local area.

1.3.10 The objector refers to the Secretary of State's view that it would be inappropriate to make a TPO in respect of a tree which is dead, dying or dangerous, but the tree is not in any of these three states and there is no evidence provided to support this view. It is also worth noting that the government guidance on Tree Preservation Orders and trees in a conservation area was updated in 2014 and reference to dying was removed from the guidance. The poplar tree is not a specimen in a good condition (the arborist survey from 2015 considered it to a Category C tree, which is a tree of low quality), but it does provide enjoyment and have value to the public as evidenced in the representations received for the application to remove the tree (Appendix 5). Therefore, it is fair to believe the tree brings a reasonable degree of public benefit.

1.3.11 The objector to the TPO questions the wildlife benefit of the tree, with no wildlife inhabiting the tree in the past 18 months. However, this would have coincided with the building works of the adjacent development and therefore would have been a factor in the lack of wildlife activity on site. Other representations in support of retaining the tree state the wildlife benefits of the tree that are presumed to predate the recent development.

- 1.3.12 The objector is concerned of the proximity of the tree to the recently constructed property and the impact it could have on foundations due to its species type. The adoption of the tree with a TPO would not prevent appropriate pruning works, to ensure the tree does not become a nuisance to the owners of the property. The construction of the foundations for the new development should have factored the presence of the poplar tree into the engineering requirements in accordance with building regulations. Many trees co-exist in harmony with adjacent buildings and there is no evidence the tree is dangerous or causing a nuisance to the adjacent property that could not be alleviated with appropriate pruning works.
- 1.3.13 The objectors clearly state their intention to replace the existing tree with a replacement (Appendix 7) that would be in accordance with the North Tyneside Tree Management Policy (2022) (Appendix 6). They hope that an appropriate replacement tree would encourage bees, butterflies and birds, and be fitting for the conservation area. The officers would support the principle of planting a replacement tree in this location that would benefit local wildlife and serve to protect and enhance the character and appearance of the conservation area. Currently the only option for the local authority to secure a replacement tree when it is notified of the intention to remove it (when it is not considered to be dead or dangerous) is to adopt a TPO on the tree and then consider a future application to remove and replace the tree. This would ensure a replacement tree is planted. The land owner is under no obligation to replant a tree in a conservation area (that is not dead or dangerous) if the local authority does not object to a notification to remove it.

b) Support and the argument the tree does qualify to be adopted with a TPO

- 1.3.14 The tree was formerly part of a group on an area of open space opposite the row of properties along Renaissance Point/Walker Place. The loss of the group of trees has increased the importance of the sole remaining tree and its amenity value to the local area is therefore increased. Those supporting the retention of the tree refer to its importance to act as a windbreak, but as an individual tree its presence as a windbreak would be limited, it would have had greater impact when part of a group.
- 1.3.15 Responses received in support of the tree also refer to the application to build the new properties (17/00835/FUL) and how the conditions attached to that permission were to retain the tree and provide tree protection measures during the development. Therefore its value was recognised within that decision and it should be retained.
- 1.3.16 A further point raised by those in support of the tree is reference to the Council commitment to tackling climate change. The Council declared a Climate Emergency in 2019 in light of rising global emissions and is firmly committed to providing a clean, green, healthy, attractive and sustainable environment. Trees are an important resource and many initiatives are underway to increase tree planting across the borough through the North East Community Forest, but it is also acknowledged that trees need to be appropriately managed.

c) Concluding remarks

- 1.3.17 The tree is suitable for a TPO based on a TEMPO assessment (Tree Evaluation Method for Preservation Orders), which is an industry standard methodology. Any reasons to remove a tree must be convincing and the information submitted with the application is not sufficiently convincing.
- 1.3.18 The TPO does not prevent works being undertaken to the tree but ensures that if any pruning works or construction works in close proximity to the tree are carried out the tree

is not damaged in any way. Further detail is provided in BS5837: 2012 '*Trees in Relation to Construction-Recommendations*'.

- 1.3.19 The making of a TPO is a 'discretionary' power under the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation) (England) Regulations 2012, that allows the Local Planning Authority (LPA) time to consider if the tree is worthy of protection or not.
- 1.3.20 The Local Planning Authority currently has over 100 individual tree preservation orders in place for various parts of the borough and the majority of TPO's are protecting trees in privately owned property. The process for an authority to determine whether a tree or trees merit protection is based on a number of factors such as the size, type or location of the tree or trees and whether it/they are at risk of removal or damage. Whilst the TPO does bring additional responsibilities to the owner of the tree, this is not unusual across the borough.
- 1.3.21 The poplar tree is located in a prominent position and highly visible to occupiers of neighbouring residential properties and from vehicular and pedestrians routes on the adjacent highways. The tree is considered to be an important element of the local landscape and the representations received in support of retaining the tree make it reasonable to believe that its removal would have a significant negative impact on the local environment and its enjoyment by the public.
- 1.3.22 The Order has been made in accordance with Government guidelines and in the interests of securing the contribution this tree makes to the public amenity value of the area. The concerns of the owner have been fully considered and balanced against the contribution the tree makes to the to the local environment and it is not felt that the reasons to remove the tree outweigh its contribution to the amenity of the local area. The loss would be considered a visual change and local residents will experience a changed or altered view on a permanent basis.
- 1.3.23 Due to the prominence of the tree within the local landscape and the risk of it being felled without a requirement for a replacement to be planted, it is considered expedient in the interests of amenity to confirm a Tree Preservation Order without modification on this tree.
- 1.3.24 It is important to reiterate that, if the Order is confirmed, this would not preclude future maintenance works to the tree. Should any works need to be carried out to the tree for safety reasons, or for any other reason, an application can be made to the local planning authority to carry out works to the protected tree.

Additional Guidance

- 1.3.25 North Tyneside Council is firmly committed to providing a clean, green, healthy, attractive and sustainable environment, a key feature of the 'Our North Tyneside Plan'.
- 1.3.26 Trees play an important role in the local environment providing multiple benefits but they need to be appropriately managed, especially in an urban environment.
- 1.3.27 Confirming the TPO will not prevent any necessary tree work from being carried out but will ensure the regulation of any tree work to prevent unnecessary or damaging work from taking place that would have a detrimental impact on the amenity value, health and long term retention of the tree. If the owners/occupiers were concerned about the condition of the tree and require pruning works to be carried out, an application to the Council can be submitted as required by the TPO.

1.3.28 Protecting the tree with a TPO would be in accordance with the Council's adopted Local Plan policy DM5.9 Trees, Woodland and hedgerows, which states;

*'DM5.9 Trees, Woodland and Hedgerows: Where it would not degrade other important habitats the Council will support strategies and proposals that protect and enhance the overall condition and extent of trees, woodland and hedgerows in the borough and:
a) Protect and manage existing woodlands, trees, hedgerows and landscape features'*

1.3.29 The recently updated National Planning Policy Framework (2023) emphasises the importance of street trees to the character and quality of urban environments, which can also help to mitigate and adapt to climate change. From this recognition of the importance of street trees to an urban area the NPPF seeks to ensure that all new streets are tree-lined and that existing trees are retained wherever possible.

1.3.30 The National Planning Practice Guidance (NPPG) advises that a local authority should confirm a TPO if it appears to them to be 'expedient in the interests of amenity to make provision for the preservation of trees or woodland in their area' (Town and Country Planning Act, 1990).

1.3.31 'Amenity' is not defined in law, but the local authority should be able to show that protection would bring about a reasonable degree of public benefit in the present or future. The NPPG identifies certain criteria to consider when assessing the amenity value of a tree(s) that include the visibility of the tree to the public, its contribution to the landscape, the characteristics of the tree, its future potential and whether the tree has a cultural or historical value.

1.3.32 In accordance with the Town and Country Planning Act 1990 (as amended) the Authority considers it necessary to issue a Tree Preservation Order to maintain and safeguard the contribution made by the tree to the landscape and visual amenity of the area. The Tree Preservation Order was served on the owners and other relevant parties on 31st October 2023 A copy of the TPO schedule (Appendix 1) and a map of the TPO (Appendix 2) is included in the Appendices.

1.3.33 The Order must be confirmed by 30th April 2024 otherwise the Order will lapse and there will be nothing to prevent the removal of the tree or seek a replacement.

1.4 Decision options:

1. To confirm the Tree Preservation Order with no modifications.
2. To confirm the Tree Preservation Order with modifications.
3. To not confirm the Tree Preservation Order.

1.5 Reasons for recommended option:

Option 1 is recommended. A Tree Preservation Order does not prevent the felling of trees, but it gives the Council control in order to protect trees which contribute to the general amenity of the surrounding area.

1.6 Appendices:

Appendix 1 – Schedule of Bird Street/Walker Place, North Shields Tree Preservation Order 2023.

Appendix 2 – Map of Bird Street/Walker Place, North Shields Tree Preservation Order 2023.

Appendix 3 – Objection from the owners of the tree.

Appendix 4 – Support received to application 23/01287/TREECA.

Appendix 5 – Objections received to application 23/01287/TREECA.
Appendix 6 – North Tyneside Council Tree Management Policy (Revised).
Appendix 7 – Email from owner confirming intention to plant a replacement tree

1.7 Contact officers:

Peter Slegg (Tel: 643 6308)

1.8 Background information:

The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author:

1. Town and Country Planning Act 1990.
2. Planning Practice Guidance (As amended)
3. The Town and Country Planning (Tree Preservation) (England) Regulations 2012

Report author Peter Slegg

Town and Country Planning Act 1990
The Council of the Borough of North Tyneside (Bird Street/Walker Place,
North Shields) Tree Preservation Order 2023

The Council of the Borough of North Tyneside in exercise of the powers conferred on them by sections 198 of the Town and Country Planning Act 1990 hereby make the following Order—

Citation

1. This Order may be cited as the Bird Street/Walker Place, North Shields Tree Preservation Order 2023.

Interpretation

2. (1) In this Order “the authority” means the Council of the Borough of North Tyneside

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.—(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4.—In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

14964

Dated this 31st day of October 2023

The Common Seal of the
Council of the Borough of North Tyneside
was affixed to this order in the presence of:



A handwritten signature in black ink, consisting of several loops and a horizontal line at the end.

Authorised Signatory

TREE PRESERVATION ORDER 2023

BIRD STREET/WALKER PLACE NORTH SHIELDS

SCHEDULE

The map referred to is at a scale of 1:500 and is based on an enlargement of the O.S. edition of sheet numbered NZ3668. The area covered by the Order is on land at Bird Street/Walker Place North Shields. The area is wholly within the Metropolitan Borough of North Tyneside in the County of Tyne and Wear.

SPECIFICATION OF TREES

TREES SPECIFIED INDIVIDUALLY

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Grey Poplar (<i>Populus sp.</i>)	Located approximately 18.5m in a north easterly direction from the northern corner of 51 Hudson Street, North Shields.

TREES SPECIFIED BY REFERENCE TO AN AREA

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

None

GROUPS OF TREES

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

None

WOODLANDS

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

None



Dated this day : 31 October 2023 (date)

The Common Seal of the Council of the Borough of North Tyneside was affixed to this Order in the presence of :

(Authorised Signatory)

14964

**NORTH TYNESIDE COUNCIL
TREE PRESERVATION ORDER 2023**

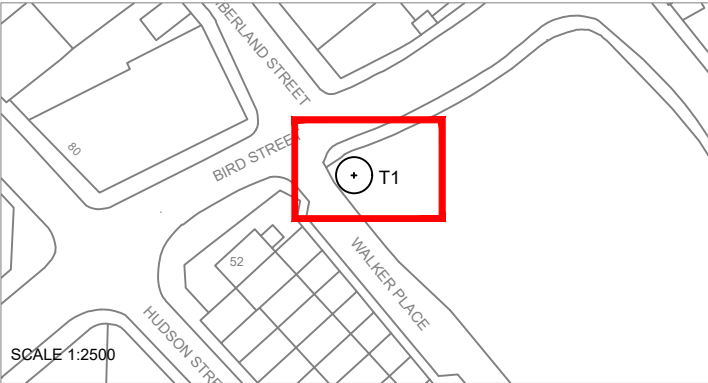
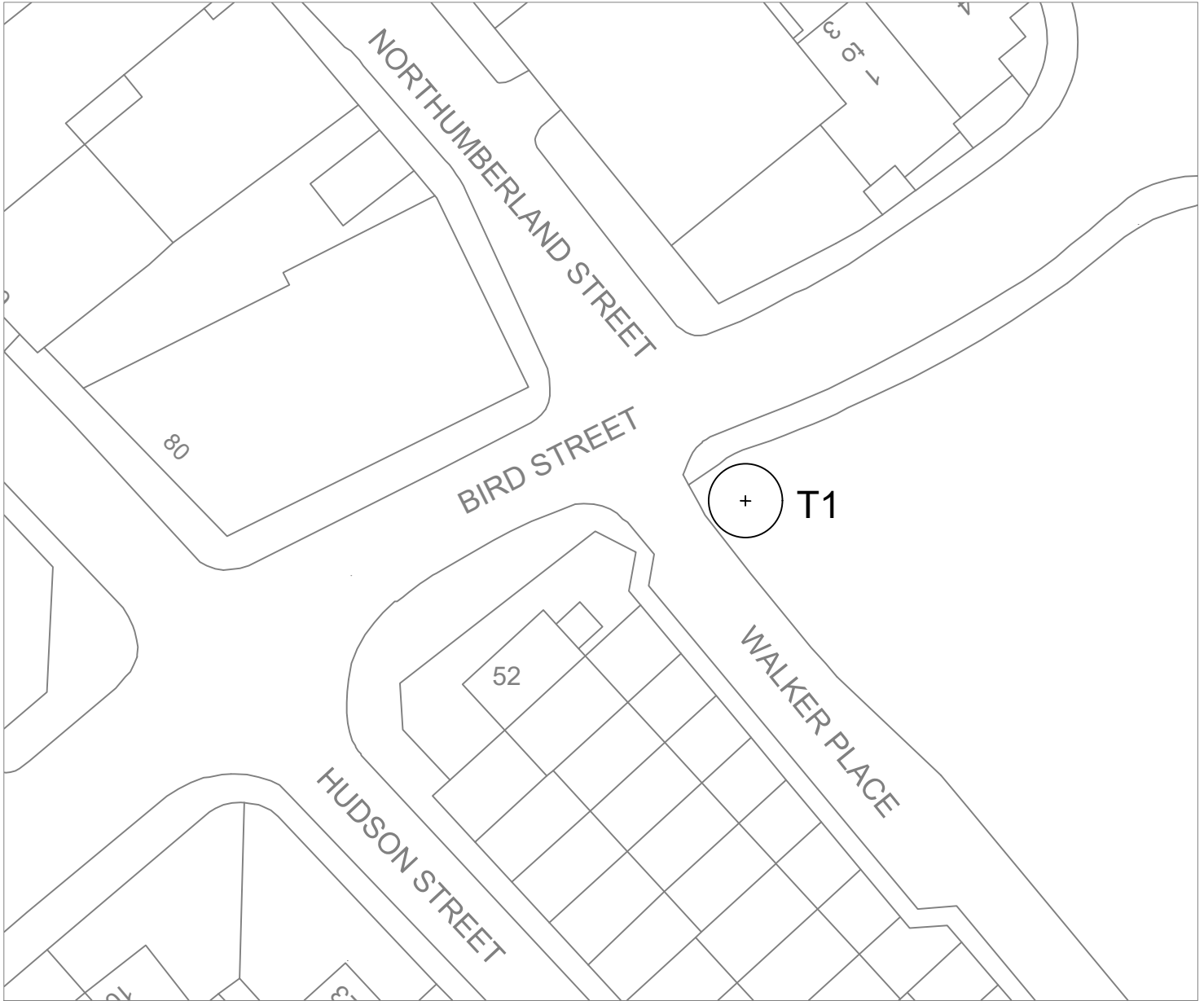
**BIRD STREET/WALKER PLACE
NORTH SHIELDS**

JOHN SPARKES
DIRECTOR OF REGENERATION AND ECONOMIC
DEVELOPMENT

QUADRANT EAST
THE SILVERLINK
COBALT BUSINESS PARK
NORTH TYNESIDE
NE27 0BY

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SCALE 1:2500

Dated this day :
(date)


The Common Seal of the Council of
 the Borough of North Tyneside was
 affixed to this Order in the presence of :

 (Authorised Signatory)

JOHN SPARKES
 DIRECTOR OF REGENERATION AND ECONOMIC
 DEVELOPMENT

QUADRANT EAST
 THE SILVERLINK
 COBALT BUSINESS PARK
 NORTH TYNESIDE
 NE27 0BY

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NORTH

NORTH TYNESIDE COUNCIL
TREE PRESERVATION ORDER 2023

BIRD STREET/WALKER PLACE
NORTH SHIELDS

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Attention Peter Slegg

We are writing to object to the temporary TPO order placed on the above tree, for the following reasons:

We challenge your view that it is expedient in the interests of amenity to make a TPO.

Background:

North Tyneside Council state:

'The Council protects trees by making Tree Preservation Orders (TPO). A TPO aims to protect trees that make a significant contribution to the visual amenity of an area e.g., if they are a good example of their species or form an important feature within the local landscape'.

In the Secretary of State's view, TPOs should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public. LPAs should be able to show that a reasonable degree of public benefit would accrue before TPOs are made or confirmed. The benefit may be present or future; trees may be worthy of preservation for their intrinsic beauty (extremely important and basic characteristic) or for their contribution to the landscape or because they serve to screen an eyesore or future development; the value of trees may be enhanced by their scarcity; and the value of a group of trees or woodland may be collective only. Other factors, such as importance as a wildlife habitat, may be taken into account which alone would not be sufficient to warrant a TPO. In the Secretary of State's view, it would be inappropriate to make a TPO in respect of a tree *which is dead, dying, or dangerous*.

The Grey Poplar had a arborist survey in 2015 and was described as a category C, low grade with a possible life span of 10 years, that was 8 years ago, in that time it has not been well manged and has suffered from significant damage and neglect, it has not been properly protected since the development started 5 years ago, and has had its roots cut and exposed for a significant period of time resulting in its current state as a dead or dying tree. The branches are also a mere 3 feet from our house which at the time of putting a deposit down appeared to be at least 20 feet away, and therefore I would concur with the SoS view that a TPO would be inappropriate.

Throughout the last 18 months since securing this property we have observed the tree and noticed that no wildlife has inhabited it, there have been no nesting birds as the foliage is so thin even in the time of growth, resulting is no cover to protect them. I am a keen environmentalist and avid ornithologist and believe a tree noted within your North Tyneside Tree Management Policy (2022), would be a far better choice to support the range of wildlife, some examples the council have chosen are Maple (*Acer campestre*), Common Hawthorn and Common Hazel, and we believe the grey poplar is not suitable within this particular setting, and also note the presence of no other grey poplar in this vicinity. We would be more than happy to work with you to choose a suitable replacement, we also intend to get support from a landscape gardener to ensure our small space is wildlife friendly.

We believe the tree is not worthy of preservation for its intrinsic beauty; as previously voiced by one of your officers who said it was a 'sorry looking tree,' and since being unprotected it has declined into its current form, spindly with dead wood branches and roots which we believe does not contribute to the landscape or this particular setting. It does not enhance the character or appearance of a conservation area, which appears to be predominately scrubby, grass, hawthorn, sea buckthorn. Laurel Park, which has an outstanding group of trees, encouraging wildlife and public interest especially for attracting wintering birds like waxwings and in our opinion supports NTC aim, the grey poplar is neither a native, nor does it serve to screen an eyesore, and nothing is enhanced by its scarcity.

We believe the tree in its current state is dangerous, the trajectory of the branches are heading into the gable end/ roof line of the house, which would cause damage to the house. In our current climate with storms becoming the norm this would also pose a risk to our health and safety. The RHS states 'Avoid growing Poplar within 40m of a building as the vigorous root systems may damage drains and foundations. particularly

on clay soil'. The SoS guidelines state a TPO should not be awarded if it is dead, dying, or dangerous and in our opinion the tree fits all 3 categories.

We disagree that if this tree was to be removed it would have a significant impact on the local environment, and its enjoyment by the public. This tree could not be classed as a windbreak as the prevailing wind is westerly and therefore is protected by the houses rather than the other way round, and a windbreak is made up of one or two lines of trees, one single tree of this grade does not constitute a windbreak. We also reiterate that a replacement and landscaping is our intention, we feel that this will fit far more closely to the council's vision of a wildlife corridor than the present, we don't see a great deal of evidence of this amongst the neighbouring houses, but we would like to enhance the area with our vision fit for a conservation area.

The tree is visible to a street of 14 houses from their back gardens on one side, and from the other side is opposite a warehouse which is unoccupied. Bird Street has light vehicle use, and Brewhouse Bank has a large area of derelict buildings and therefore we can't agree the impact on the local environment is significant. The tree's particular importance by reference to its size and form and taking into account any special factors such as its rarity, value as a screen or contribution to the character or appearance of a conservation area appear to be non-existent, but we hope to change this with our plan to replace the tree and also encourage bees, butterflies and birds by planting native and appropriate specimens fitting for this conservation area.

Support received to application 23/01287/TREECA

Support 1 – submitted 01.11.2023

The tree is not in good health as attested by a report from a tree surgeon, it will continue to suffer due to this development foundations and the services provided to this location impacting on future root growth and nutrient. The tree should be replaced with an healthy appropriate replacement.

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Objections received to application 23/01287/TREECA

Objection 1 – submitted 06.11.2023

Strongly object to removal of this tree. There were other trees on this site which were felled sadly years ago by the previous developer without permission. Ridiculous that this in danger of being removed when it clearly seems to be in good health and is home for various birds to nest in.

Objection 2 – submitted 27.10.2023

We were under the impression that this tree has a TPO. A silver poplar tree is a highly effective windbreaker in coastal areas like ours. It develops extensive root systems (both directions: into the ground depth and along the ground) and is known to be quickly growing further roots should these be damaged therefore it is hard to make such tree "unstable" Thus the tree has been there before the houses have been build and been planned into the development, which has already destroyed multiple trees which were located within this conservation area. Which in fact makes the term conservation area a joke if the council allows the trees to be felled and houses to be built.

Objection 3 – submitted 26.10.2023

Strongly object to this proposal. Once again, another example of NTC and the Walker Place Developers doing whatever they want regardless of existing regulations. Are we not supposed to be protecting trees like this in this age of climate change? It's scandalous that the tree has already been damaged during the building works.

Objection 4 – submitted 25.10.2023

The Legal Agreement of the Walker Place development dated 21/10/22, Condition 2 states: "Existing trees and shrubs to be retained within the site and any on adjacent sites growing close to the boundary of the development site shall be protected from damage during construction works in accordance with best practice and to BS5837: 2012 'Trees in Relation to Design, Demolition and Construction - Recommendations'. This shall include appropriate protective barriers and other

relevant physical protection measures including ground protection and construction exclusion zones to protect the root protection areas. Reason: To avoid physical damage to trees and root plates during construction, to ensure the satisfactory retention of existing trees and shrubs in the interests of visual amenity to preserve the character and appearance of the Conservation Area having regard to policy DM5.9 and DM6.6 of the North Tyneside Local Plan 2017.

This application states that the roots have been severed on one side due to the laying of the services and that it is on North Tyneside Councils' property.

Who at North Tyneside Council gave permission for the services provider to dig into the root plates of this protected tree to carry services to this development?

The poplar tree in this application is protected and therefore should not be removed.

Objection 5 – submitted 24.10.2023

We object to the application to remove this tree. Other trees which existed on this site were removed without permission. This tree has received inadequate protection throughout the building phase of this development. This sort of practice was outdated twenty years ago. Throughout the development period building materials have been stored too close to the main trunk, under the trees canopy, causing compaction. To fell this tree is not the right course of action, merely covering up for the council and developers true responsibility for proper arboricultural care and due diligence.

For a resident to purchase a new house with a tree adjacent to its property and then apply for its removal is erosion of visual amenity and wildlife value to the rest of the community. NTC has committed to a climate change pledge and every tree matters in an increasingly urban environment. This site is so close to the conservation area and council designated greenspace. How much more is going to be destroyed at a time of biodiversity crisis.

Objection 6 – submitted 22.10.2023

This tree is not part of the housing development and is protected there has also been trees felled on brewhouse bank with out permission. This tree has no effect

whatsoever on no 1 and has stood for years to no avail .Developer also was supposed to erect bird boxes and bat boxes and none have materialised on this developer too date

Objection 7 – submitted 22.10.2023

For a tree that is allegedly semi-dead it seems to do very well and has withstood many harsh winters in an exposed position for many years. It is also home to a pair crows and other birds that return year on year. Unnecessary damage to the roots has been recently caused by the dumping of building material on land that is not owned by the developer around the tree. As per usual NTC has, and no doubt will continue to turn a blind eye to this. Some proper care and pruning of the tree would alleviate any concerns the prospective house owners may have. And maintain the character of the area. There are countless examples of trees on NTC property across the borough that are in close proximity to private housing that have not been removed, why should this one be?

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North Tyneside Tree Management Policy



Published Date: January 2022



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1.0 INTRODUCTION

This policy is a management plan for North Tyneside Council's trees of which there are circa 141,000 across the borough located in streets, parks, open spaces, housing estates, school grounds and cemeteries.

North Tyneside Council recognises the importance of trees in making the borough a great place to live, work and visit. The benefits will be enjoyed not only by today's residents, but future generations.

Trees make a valuable contribution to both wildlife conservation and the protection and development of a variety of habitats.

Trees absorb carbon dioxide, filter pollution and release oxygen into the air.

They contribute to the visual landscape by softening the shape of the built environment and can positively affect property values. Research shows houses with trees are more likely to sell.

Trees contribute to people's quality of life and sense of well-being and can reduce stress. People are increasingly aware of the benefits of trees and are placing a higher value on their role in the environment.

2.0 OUR TREE MANAGEMENT OBJECTIVES

- To protect and maintain our existing tree stock in a good and safe condition
- To annually increase the North Tyneside tree stock
- To maximise opportunities for new tree planting schemes where practically possible
- Ensure compliance with legislation British Standards 3998 (British Standard for Tree Work) and best practice when carrying out works on trees
- To engage the community in the planting, management and maintenance of our trees.



3.0 LEGISLATION

Local authorities must adhere to a considerable amount of legislation in relation to tree management. This includes the following:

- Town and Country Planning Act (1990), Town and Country Planning (Tree Preservation)(England) Regulations 2012, North Tyneside Council, as the local planning authority, is able to create Tree Preservation Orders (TPO's), in respect of trees or woodland, considered to have a significant impact on the amenity of a local area
- In addition to those trees protected by Tree Preservation Order, the act also make special provision for trees in conservation areas
- The Forestry Act (1967) requires certain permissions and licenses to be granted where felling of trees is proposed
- The Wildlife and Countryside Act (1981), as amended and the Countryside & Rights of Way (CROW) Act 2000, (it is illegal to intentionally or recklessly damage or destroy the nest of a wild bird, while its nest is in use or being built).
- Bats are a European Protected Species and are protected by the Conservation of Habitats and Species Regulations (2017) (as amended) and the Wildlife and Countryside Act 1981 (as amended).
- Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, places a duty on public authorities in England to conserve biodiversity (Biodiversity Duty).This requires that every public body must, in exercising its functions, have regard to conserving biodiversity.
- The Hedgerow Regulations (1997) introduced powers allowing important native hedgerows to be protected.
- Anti-Social Behaviour Act 2003: Part 8 High Hedges. This legislation gives people whose gardens are overshadowed the opportunity to resolve the problem.
- The Environment Act (2021)



OUR POLICIES

4.1 Maintenance

The council's Arboricultural Officer is responsible for leading the two dedicated tree maintenance teams and ensures all maintenance of North Tyneside's tree stock is in accordance with legislative requirements and "British Standards for Tree Work" – BS 3998.

When undertaking highway works near to trees, we will adhere to the guidelines as set out in the Department for the Transport's 'Roots and Routes: Guidelines on Highways Works and Trees'.

4.2 Tree Pruning

Pruning of trees will be carried out when considered essential, as cutting can weaken the tree and allow decay organisms to enter exposed and vulnerable tissue. Examples of where pruning to council owned trees will be carried out are:

- Where branches or twigs cause obstruction to a public highway and public right-of-way or footpath
- Where unapproved rope swings are installed, the swing will be removed for reasons of safety, and pruning works may be carried out to prevent reinstallation of the swing
- If the Arboricultural Officer considers a tree to present a threat to the public or property
- Where trees are causing legally actionable nuisance to an adjoining property e.g. Trees that are physically in contact with buildings or roofs
- Where roots are causing disruption to pavements and kerbs. In such cases this would be referred to the council's Highway Department for advice
- Parts of trees preventing repairs or maintenance of property
- Trees obstructing signage or obscuring essential sightlines on the highway
- Trees interfering with street lighting
- Where the loss of light is having a significant impact upon a resident, for example if they are house bound.



The following reasons will not constitute grounds for pruning healthy trees:

- Interference with satellite dish TV reception
- To enable installation or maintenance of solar panels.
- The tree is perceived to be too large
- The obstruction of non-strategic views. (Strategic views are identified in site specific management plans)
- Issues caused by insects or birds
- Problems associated with fruit/pollen/leaf fall.

For every referred tree, an assessment will be carried out by the Arboricultural Officer to determine whether any remedial works are required.

4.3 Tree Removal

Tree removal will only be considered when a tree is:

- Dead, dying or diseased (account of the individual species will be taken into consideration e.g. Oak, which has significant amounts of natural deadwood)
- The Arboricultural Officer considers the tree to be a danger to public safety
- A major contributor to serious structural damage to main buildings or infrastructure
- In an area designated for development or redevelopment.

Healthy trees will not be removed for the following reasons:

- Interference with satellite dish TV reception
- To enable installation or maintenance of solar panels
- The tree is perceived to be too large
- To allow the installation of a vehicle access crossing
- The obstruction of non-strategic views. (Strategic views are identified in site specific management plans)
- Issues caused by insects or birds
- Problems associated with fruit/pollen/leaf fall
- A perceived risk that a tree will cause subsidence in the future



- Causing disruption to pavements and kerbs. Prior to any other action being taken each case will be assessed in consultation with the council's Highway Department.

4.4 Damage to council owned trees

It is an offence for anyone to cut down, uproot, top, lop or wilfully destroy a tree within council ownership.

We will seek compensation from any external organisation or person/s responsible for significant damage to, or removal of any council owned tree/s.

If a tree is protected either by a tree preservation order or is located within a conservation area, it is important to note consent must be obtained prior to any works taking place on the tree(s).

4.5 Tree Planting

We will take every opportunity to maximise tree planting across the borough. When a tree is removed, we will replace with a minimum of two trees at the same location or at a suitable alternative location. We will ensure that the species selected are appropriate to the location (refer to Appendix i).

We will work closely with our planning team and developers at an early stage, to ensure appropriate tree species and varieties are introduced in our new developments. (See Appendix i)

A 4 year Tree Planting Strategy has also been developed to maximise tree planting across the Borough.

4.6 Conservation and Wildlife

Tree management will be carried out in line with the relevant objectives contained within the joint Newcastle and North Tyneside Local Biodiversity Action Plan.

- The ecological value of tree planted areas will be increased by utilizing wherever possible, decaying wood sources such as standing timber



- Felled timber, brash piles and wood chippings will be left in situ wherever practicable
- When we remove wood chippings, they will be recycled for use on paths and shrub borders to reduce maintenance operations
- Other methods of attracting wildlife will be encouraged such as installation of bat and bird boxes.
- Works will be undertaken in accordance with relevant wildlife legislation

4.7 Climate Change

In July 2019, North Tyneside Council declared a climate emergency, reflecting its commitment to tackling climate change and preserving the natural environment in North Tyneside. At the time the Council set a target to be carbon neutral by 2050.

In September 2021, Council agreed the Our North Tyneside Council Plan 2021-25 which contains the following policy ambition;

“We will publish an action plan of the steps we will take and the national investment we will seek to make North Tyneside carbon net-zero by 2030.”

The Council has worked with a range of stakeholders to develop a Climate Emergency Action Plan. The plan is being updated to reflect the new 2030 target, however it will retain actions in planting trees and creating new woodland and canopy cover in recognition of the important role of carbon offsetting in achieving carbon net-zero.

4.8 Community Involvement

We will engage and work with residents, volunteers, ‘friends of groups’ and partners to enhance tree management across the borough.

Where possible, we will work with the community to address issues relating to historic plantings. Community led long term management plans will be developed to assist with this process.



4.9 Education

Where appropriate, trees will be utilised to provide learning material for the understanding of related subjects such as living processes and the carbon cycle.

We will provide assistance and a tree condition survey to schools serviced by the council's arboricultural team to improve tree habitat and education provision within school grounds on request.

4.10 Tree Protection

As a general rule, Tree Preservation Orders are not placed on council owned trees unless a conflict occurs between council development policies and the council's tree management practices.

All arboricultural work carried out by the council will follow current best practice and comply with current legislation.

Where a tree or group of trees make significant visual impact on their local surroundings, the council can declare a Tree Preservation Order. This is not only intended to prevent their unauthorized removal, but also to allow control of their maintenance and replacement.

4.11 Subsidence

It is recognised that damage may result from the presence of trees, and that remedial tree management does not always prevent subsidence and removal may be necessary in some cases.

Removal will be programmed where the tree is shown to be a major contributor to soil shrinkage coupled with serious structural damage to buildings and where pruning alone would not provide a solution. Damage to walls and paved areas is usually considered to be minor and would not normally warrant removal of a tree.

Structural problems must always be carefully investigated. Property owners are required to provide documented proof to the council's Claims and Insurance Team where they believe that a



specific tree is causing damage to their property. The council does not accept presumption of damage or unsubstantiated claims as being a case for removal of trees.

4.12 Issues relating to drains

Root ingress from street trees into private gardens cannot be prevented; and we will not remove tree roots where this occurs.

We cannot accept responsibility for tree roots that have gained access to drains or services which are deemed to be in a poor condition.

5.0 TREE SAFETY

- We will comply with tree maintenance British Standards 3998 when carrying out tree works.
- Tree surveys will be undertaken across the borough.



Enquiries and further information

- For tree enquiries contact Envirolink on Tel: 0191 2000 103.
Envirolink@northtyneside.gov.uk
- For highways related enquiries contact the Highways Department:
highways@northtyneside.gov.uk
- For insurance and claims enquiries contact the Claims and Insurance team on Tel: 0191 643 5870/ 5866
- If you are unhappy with the response you have received then you can report your complaint to the Customer Liaison Service for investigation, through the council's corporate complaints procedure. Details are included on North Tyneside Council's website
www.northtyneside.gov.uk

Customer & Member Liaison Office
Law and Governance
North Tyneside Council
The Quadrant
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

Tel: (0191) 643 2280
customerliaisonoffice@northtyneside.gov.uk



APPENDIX 1

THE MANAGEMENT OF SPECIES SELECTION AND PLANTING IS AS FOLLOWS:-

- The selection of native species where appropriate.
- Consideration of the eventual mature size and suitability for setting.
- Water demand relating to soil type and construction types of surrounding structures.
- The visual appearance.
- Wildlife diversity.
- To increase the number of trees planted.
- Ensure that trees are only planted in locations that do not conflict with other nature conservation interests e.g. on species-rich grasslands.

This species list is not exhaustive but provides a guide to the trees we will consider planting and the locations we will plant them.

KEY to Appendix

W = Woodland, V = Verges, S = Street, P = Parks, H = Hedges

Photographs kindly provided by Barcham Trees.

Maple (*Acer campestre*)



- *Acer campestre* is a useful native small to medium sized tree.
- It has gnarly bark which develops as it matures and in the autumn, the leaves turn yellow, orange and golden brown.
- It is tolerant of most soil types, although it does do best in rich, well drained soils. It will tolerate drought, air pollution and soil compaction.
- The Field Maple, *Acer campestre*, is widely used as a specimen tree and a hedgerow plant. It will tolerate regular pruning during the winter period to keep it in shape. It has good ecological qualities making it useful to wildlife.



WVSPH

- 12 -



Japanese Maple (*Acer palmatum*)



Round



Small (6-10m)

VP

- The Japanese maple was introduced into Britain in the 1820s. This magnificent tree can outstrip size expectation if left alone in an area large enough to accommodate
- A delightful small tree, for a shady position. It has rounded habits and its deeply lobed leaves turn shades of yellow, red and orange in the autumn. They do best in rich, moist, but free draining loamy soils.

Norway Maple (*Acer platanoides*)



Oval



Large (18m+)

WVSP

- An imposing and fast-growing tree of great size and the parent of many cultivars.
- Distinctive yellow flowers appear in spring ahead of the leaves which turn yellow and sometimes red in autumn. A native tree of Norway and Europe, but not in Britain.
- It does well on most soil types, tolerate air pollution and resists drought
- Many of its varieties are suitable for urban and street planting. It is widely used in parks and streets.

Sycamore (*Acer pseudoplatanus*)



- Native to central and southern Europe, the Sycamore has long been naturalised in Britain. It is a very large tree, and very fast-growing for the first 20 years. It is also one of the very toughest. Many of its cultivars are smaller but equally as durable.
- It tolerates pollution and thrives in most soils, and is particularly useful for coastal sites where it can make an effective defence against strong winds and salt laden air predating historical measures.





WVSP

Italian Alder (*Alnus cordata*)



- Originating in southern Italy and introduced in 1820, this fast-growing, medium tree has a conical habit. Its shiny, green, pear-like leaves last well into winter, particularly under street lighting. It produces notably larger fruits than other alders. Good for coastal plantings.
- It thrives on all grounds including dry, high pH soils but is most at home nearest water. Being highly tolerant of urban pollution it is a particularly adaptable urban tree but must be given enough room or it can outstay its welcome. The bark is a glistening brown when young but matures to be rougher, it can cause the lifting of hard areas over time.



VSP

Common Alder (*Alnus glutinosa*)



- This medium-size native tree has a conical growth habit and produces yellow catkins in March. Its natural habitat is boggy land and river banks. However it is also very good for urban plantings as it thrives in all soils and tolerates air pollution.
- Being a native tree, it is a wonderful host to a wide range of wildlife. It is a very useful variety to plant where the ground is liable to flood and survives many weeks with its roots underwater. *Alnus glutinosa* remains a vital inclusion to any native planting mix.



WVSP



Grey Alder (*Alnus incana*)



- A really hardy and tough medium tree, capable of coping with cold, wet soils and exposed situations. Grey Alder is a fast grower, well suited to industrial areas and street plantings. Its pointed leaves readily distinguish it from *Alnus glutinosa*.
- Introduced from Europe in the 1780s it does best on calcareous soils and tolerates air pollution. In the recent past the North American tree bearing the same generic name has been changed to *Alnus Rugosa* to avoid confusion amongst well travelled tree enthusiasts. Profuse pink/yellow catkins are produced just prior to spring.



Broadly
Conical



Medium
(10-18m)

WVSP

Serviceberry (*Amelanchier Ballerina*)



- This small tree, with its finely toothed leaves, was selected by the Experimental Station at Boskoop in the Netherlands in the 1970s and named in 1980. It forms a broader crown than Robin Hill and is less tall making it a better choice for verges and gardens than for streets
- It has abundant white flowers in spring and excellent red autumn colour. It does best in moist, well drained, lime free soils and is remarkably resistant to fire blight.
- Used extensively in parks and areas where a low crown is acceptable such as grass verges.



Round



Small (6-10m)

VP



Silver Birch (*Betula pendula*)



WVP

- Silver Birch is also known as the “Lady of the Woods” – so-called because of its slender and graceful appearance. It is a pioneer species and particularly admired in the UK. Even though it seemingly grows anywhere it is remarkably difficult to successfully transplant bare rooted.
- A medium tree with a conical, but semi-sweeping habit, the bark is white with horizontal lines and large, diamond-shaped cracks as the trees mature. Very good for parks and woodland, but not suitable for areas where soil becomes compacted. It grows well on most soils and it is grown as both a single stem tree and multi-stemmed tree.

Common ash (*Fraxinus excelsior*)



WVSP

- A very tough native tree. It is easily recognised when dormant as its buds are black. Late to leaf and early to fall, this is probably our toughest native tree.
- Variable in habit and often overlooked for avenue planting where uniformity is required. Ash is fast-growing and produces vast quantities of fertile seed.
- Best suited for parklands and highway verges. It thrives on moist soils, including calcareous, and will tolerate windswept, exposed sites, coastal locations and air pollution.

Common Beech (*Fagus sylvatica*)



- One of the most majestic of our native trees, the Common Beech can become very large with a slow branched habit.
- It has a wide variety of uses in woodland, parkland and in broad verge plantings and few trees can surpass its rich, copper autumn foliage. Beech thrives just about anywhere other than exposed and coastal locations. As it is shallow rooted, under planting is not recommended. It does well in most reasonably





WVPH

fertile, well drained soils, except heavy clay or light sand.

- Favours more temperate climates and is difficult to establish faced with extreme heat and drought. Avoid planting on paved or tarmac areas where reflected heat and light makes Beech suffer.

Bird Cherry (*Prunus padus*)



- The Bird Cherry, a native of Britain as well as the rest of Europe, it is a relatively late flowerer. It is a tough tree, withstanding the rigours of the urban environment but like other cherries does not thrive on waterlogged ground.
- The white flowers of the bird cherry produced in May in hanging racemes. The black fruits in late summer are edible but rather bitter. Luscious and large green leaves turn yellow to bronze in autumn. This is around a tree of medium height, and is good in parks, gardens and woodlands



WVSP

Broad-Leaved Lime (*Tilia platyphyllos*)



- The Broad-Leaved Lime is a native of Britain. Flowers in June/July and is very tolerant of pruning. It is a compact and stocky tree, the luscious foliage always gives it a healthy demeanour.
- The colonial selection 'Delft' is a European clone the forms are more pyramidal crown at maturity and could be used where uniformity is required.



WVSP



Common Lime (*Tilia x europaea*)



- Once the most frequently planted Lime, this is a very long-lived tree and commonly planted in central Europe as an urban tree. It is a hybrid between *Tilia Cordata* and *Tilia Platyphyllos* has been known to reach over 50 m tall.
- A large and impressive, broadly oval-shaped tree which is widely used for avenue plantings. It is recognisable by its dense suckering, which forms burrs on the trunk. Its large lush leaves can attract aphids which can result in honey dew and associated sooty mould problems



Broadly Round



Large (18m+)

WVSP

Dawn Redwood (*Metasequoia glyptostroboides*)



- This Redwood is of great botanical interest. It was discovered in China in the 1940s, before which the genus consisted only of fossilised forms. A deciduous conifer, it has rapidly established itself as a huge urban and rural favourite. Often confused with *Taxodium*, it is quite different if they are seen together at close quarters.
- Very large and statuesque pyramidal, it makes a grand park or specimen tree, but is also good for streets and avenues with a clear stem.



Broadly Conical



Large (18m+)

VSP



Common Oak, English Oak (*Quercus robur*)



- Perhaps the most majestic of our native trees, the English or Common Oak was once the predominant species in English lowland forests, and has become virtually a national emblem. Very long-lived, its hard timber has been used to produce the finest furniture, from ships through to coffins.
- A large, imposing, broadly oval tree, heavy limbed and long-lived. Its deeply grained bark gives year-round appeal, and its expansive root system does best on deep, heavy soils.



WVP

Common Hawthorn (*Crataegus monogyna*)



- Also known as Quickthorn or May, this small native hawthorn has many ancient associations and is most seen as hedgerow plants along the span of the UK. It is without doubt one of our prettiest native trees.
- The small white, fragrant flowers which appear in May and June are followed by small red fruits in abundance during autumn, providing much-needed food for wild birds. A good choice for urban and coastal planting it is also tolerant of air pollution. It does well in most soils, including very dry and wet soils.



WVHSP

Common Hazel, Cobnut, Filbert (*Corylus avellana*)



- *Corylus avellana*, also known as Common Hazel, is native to the UK and has long been cultivated for not only its Hazelnut production but also grown and regularly coppiced to produce poles for naturalised fencing for wattle and daub building.
- The Common Hazel has bright green, fairly rounded foliage which appears in spring after the striking display of long yellow catkins or “lamb's tails” in January/February time. The hazelnuts are produced in abundance throughout the summer, finally ready for harvesting in the autumn.



WVHP



Common Holly, European Holly, English Holly (*Ilex aquifolium*)



- The English Holly is a classic evergreen tree, producing leaves which are thick and waxy and have lobed, spiked margins. The small flowers are white and borne in late spring, at which point they are pollinated by bees. The bright red berries then follow on from this, developing throughout the summer time to mature in October and November, *Ilex aquifolium* is native to Britain; it is a small tree at maturity which forms an attractive, pyramidal shape. Like many evergreens the European Holly prefers well drained soils and will not thrive in soils which have a propensity for water holding.



WVHP

Hornbeam (*Carpinus betulus*)



- The timber of the Hornbeam has traditionally been used to produce mallets, skittles and even the moving parts of pianos his wonderful native tree is closely related to the hop Hornbeam, *Ostrya carpinifolia*.
- Wonderful in a parkland setting, growing in groups and ideal for pleaching, the Hornbeam is a large tree with a characteristically fluted trunk and ovate, ribbed and serrated leaves which turn a lovely clear yellow in autumn. This British native produces hard, finely grained timber with many uses. It grows well on most soils, including clay and chalk. Most useful tree for poor planting conditions.



WVSHP



London Plane (*Platanus x Hispanica*)



Round



Large (18m+)

VSP

- First recorded in the early 1660s, the London Plane was extensively planted as a street tree in the capital due to its tolerance of air pollution and of pruning. It is believed that it was significantly responsible for the clearing up of the smog laden air resulting from the industrial revolution.
- Large, fast-growing tree with a broadly oval crown. One of its main features is the trunk, which flakes to reveal a patchwork of green, white and cream. The leaves are large, deeply lobed and palmate. The rounded fruit clusters, produced in strings, resemble little baubles, which hang from the branches for much of the year. Still a good choice for urban plantings, it is also great for parkland.

Mountain Ash, Rowan (*Sorbus Aucuparia*)



Round



Medium (10-18m)

WVSP

- *Sorbus aucuparia*, known as Mountain Ash, is one of our prettiest native trees and the parent of numerous clonal sections.
- White flower in the spring produces orange/red berries by September which birds feast on ahead of winter. The finely toothed green foliage can turn yellow through to orange in the autumn before leaf fall. *Sorbus aucuparia* thrives on most free draining soils but is not a lover of hard areas where reflected heat and light can create too hot an environment for it to thrive.
- Often grown as a multi stem tree, this round headed tree is a great all-rounder.



Purple Leaved Plum, Cherry Plum (*Prunus cerasifera Nigra*)



Round



Small (6-10m)

VSPH

- Introduced in the early nineteenth century this form of the Cherry Plum (or Myrabolan) provides only a few red fruits. A popular tree, often planted on city streets or verges, it is easy to maintain in a garden as it reacts well to very severe pruning.
- Small tree with a rounded form, it is most notable for its purple flowers and stems. Early pink spring flowers fade to white before the leaves take full effect. This is a robust performer, thriving on most free draining soils.

Scarlet Willow (*Salix alba Chermesina*)



Broadly Conical



Medium (10-18m)

P

- This clone is also known by the cultivar name of Britzensis. Has been known to extend over 3 metres of growth in a single growing season from a coppice.
- A medium to large tree with a rather pyramidal crown, its young branches are brilliant orange red in winter, especially if severely pruned every other year to produce a multi-stemmed tree. It makes a very good park tree and thrives on most soils including those prone to flooding.



Swedish Whitebeam (*Sorbus Intermedia Brouwers*)



WVPS

- This Swedish Whitebeam has a more pyramidal crown than the species and is more commonly grown by nurseries as the catchall for *Sorbus intermedia*. Clonal variations can be very similar to their parents but crucially offer a far greater degree of uniformity.
- A medium-sized tree with a conical crown, single, dark green leaves have silver grey and decidues. White flowers may produce orange red fruits. It is wind resistant and tolerant of calcareous soils and air pollution, making this a really tough tree. It will thrive in even the harshest conditions including near the coast.

Whitebeam (*Sorbus aria Lutescens*)



WVPS

- *Sorbus aria Lutescens* is one of the best Whitebeam trees available.
- The whitebeam tree has foliage which emerges from purple shoots in the spring, soft and silvery-white. As the seasons progress the leaves harden to become a more distinct grey on the underside and green on the surface. The clusters of creamy white flowers appear in April and May, followed by bright orange-red fruit in the autumn time, when the leaves turn a golden brown before falling.
- At maturity this small tree retains a rounded and compact shape, requires little maintenance and will thrive on all soils, including chalky ones.



White Willow (*Salix alba*)



- *Salix alba*, known as White Willow, is a lovely native tree that thrives on wetland sites all over the UK.
- Fast growing, its silver green leaves that emerge in the spring turn to yellow as they are ready to fall in the autumn.
- Part of a willow's survival plan is to drop twigs and limbs as they mature as these can root where they land and so start again. With this in mind *Salix alba* isn't a great choice for a garden but can be routinely coppiced to keep juvenile on soils that are prone to flooding.
- If left to its own devices it can reach over 20 metres tall by pretty much the same width Great for riverbank and lakeside planting.



Wild Cherry (*Prunus avium*)



- *Prunus avium*, known as Wild Cherry, is one of our prettiest native trees.
- Single white flowers are produced in the spring and its green leaves turn gold through to red in the autumn before leaf fall. All flowering cherries prefer free draining soils and this cherry is the parent of many cultivated varieties.
- Being native, it is a great tree to support our range of wildlife.



English Yew, Common Yew, Yew (*Taxus baccata*)



- *Taxus baccata*, known as English Yew, is a versatile evergreen native tree that is often grown as a hedge.
- Incredibly long lived, it is often associated with churchyard planting and rejuvenates itself remarkably well if pruned hard in the early spring.
- It is worth noting that every part of Yew is poisonous, apart from the red flesh of the berry.
- Like most evergreens it is not tolerant of waterlogged soils and thrives best on free draining lighter land.
- Great for parks and gardens, frequently used for topiary or formal columns and cones.
- *Taxus baccata* can grow on either acidic or chalky soils so long as they are well drained.



Irregular



Large (18m+)

WVPH



APPENDIX

NORTH TYNESIDE TREE PLANTING POLICY: GUIDING PRINCIPLES

Aims and objectives:

1	Plant trees for the future	<ul style="list-style-type: none"> • Develop opportunities to increase canopy cover across the Borough • Plant the right tree in the right place • Increase species diversity (pest and disease) • Identifying current tree stock population within the Borough • Look to plant 2 to 3no replacement trees for every one that is removed • Plan for the care, management and enhancement of the Borough Tree population • Species for planting will be carefully selected, planted in suitable planting pits, and appropriate to their location, giving particular consideration to the landscape character guidance and enhancement of biodiversity. • Plant more street trees along major transport routes 	<ul style="list-style-type: none"> • Tree planting programme • North Tyneside Tree Management Policy • NECF and I-Tree • Local Plan Policy • National Planning Policy Framework
2.	Protect irreplaceable trees, woodlands and hedgerows	<ul style="list-style-type: none"> • Monitor the Councils Tree Preservation Orders and continue to protect trees with additional Orders • Seek to identify, protect and retain veteran trees within the borough because of the cultural, historical and biodiversity value. 	<ul style="list-style-type: none"> • Tree Preservation Orders (Council website) • Record and monitor veteran trees on Council website



		<ul style="list-style-type: none"> • Manage replacement planting for TPO's 	<ul style="list-style-type: none"> • Annual review of replacement planting
3.	Managing existing tree stock	<ul style="list-style-type: none"> • Inspections • Managing Risk • Maintaining safety to public and highways • Seek appropriate grant funding 	<ul style="list-style-type: none"> • North Tyneside Tree Management Policy • NJUG • NECF
4.	Local Plan policy	<ul style="list-style-type: none"> • Plan greener local landscapes • Protect, maintain and enhance trees on development sites • Provide a monetary value on important trees if required to be removed as an exemption • Maximise the role of trees in flood prevention • Plant trees to support carbon reduction in the Borough 	<ul style="list-style-type: none"> • Local Plan Policy • NPPF • CAVAT • Climate Emergency Action Plan • NECF
5.	Community	<ul style="list-style-type: none"> • Improve awareness in schools • Involve communities in planting and managing trees • Improve management to promote access woods and trees • Support the creation of community woodland groups • Plant trees to improve health and wellbeing 	<ul style="list-style-type: none"> • Consultation and Engagement



6.	Biodiversity	<ul style="list-style-type: none"> • Plant trees to support wildlife • Plant trees to strengthen important habitats • Plant trees to create networks for wildlife • Plant trees to sustain precious and vulnerable woodland habitats 	<ul style="list-style-type: none"> • Newcastle and North Tyneside's BAP • Local Plan Policy • NECF
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Peter Slegg

From: [REDACTED]
Sent: 29 January 2024 11:50
To: Peter Slegg
Subject: TPO replace

EXTRNL
Morning Peter

Follow on from our conversation this morning, we would like to plant the replacement tree in the position of the current grey poplar in the corner of the garden. We are looking to plant a tree which would be a better choice to support wildlife and mirror North Tynesides tree management policy for this area, this would include:

Maple (*Acer campestre*)
Common Hawthorn
Common Hazel

Let me know if you need any further information

Regards

[REDACTED]
Sent from my iPhone

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