

Mr & Mrs Pritchard

1 Holywell Ave

Whitley Bay

Tyne & Wear

NE26 3 AH

15th June 2021

FAO D Parkin

Democratic Services

3FL North Tyneside Council

Quadrant, The Silverlink North

Cobalt Business Park

North Tyneside, NE27 OBY

Dear Mr Parkin,

Ref: 1 Holywell Ave Provisional Tree protection Order 2021

As requested in your documentation issued on 28th May please find attached comments and objections to the Provisional Tree Protection Order on the Pine Tree located at 1 Holywell Ave NE26 3AH.

Schedule

1: Planning Decision 18/00503/TREECA

2: From 1 Holywell Ave

3: From 1A Holywell Ave

4: From 2 Holywell Ave

Yours Sincerely

A & J Pritchard

Schedule 1

Mr Airc Pritchard
C/O Bigfellers
Mr Matt Leach
46 Marden Road South
Whitley Bay
NE26 8PS

Application No:
18/00503/TREECA

Date of decision Issue:
23 May 2018

Dear Sirs

**TOWN AND COUNTRY PLANNING ACT 1990 (Section 211)
Notice of intention to carry out works to tree(s) in a Conservation Area**

In pursuance of their powers under the above mentioned Act, North Tyneside Council as Local Planning Authority has determined that it does not object to the carrying out of works for: Removal of row of leylandii (6no) along boundary of neighbouring property and removal of 1no pine tree, all within front garden at: 1 Holywell Avenue Whitley Bay Tyne And Wear NE26 3AH

In accordance with the notification received by the Council on 13 April 2018 and numbered 18/00503/TREECA.

As such the Council does not consider the tree(s) to be worthy of protection by a Tree Preservation Order.

You are advised that if you do not carry out the works within a period of 2 years of the date of your receipt of your notice. You are required to submit a further notice under section 211 of the Town and Country Planning Act 1990 if it is your intention to commence the works after this period.

It is recommended that you employ a qualified tree surgeon and complete the works in compliance with BS3998: 2010 Recommendations for Tree Works. Where relevant, practical advice on how the works should be carried out is set out below.

- 1) In order to mitigate the loss of the 6no. Leylandii trees and the 1no. Pine tree, the applicant should consider appropriate replacement trees within the front garden location, of appropriate scale and species, to further the aims of the Conservation Area status.
- 2) All tree works in Conservation Areas are to be carried out by an appropriately

18/00503/TREECA

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qualified professional in accordance with BS3998: 2010 (Tree Work Recommendations).

3) Conifers are good nesting areas for birds. Any proposed tree removal should be carried out outside the bird breeding season (which runs from March to September inclusive) to avoid adverse impacts to any nests present. If it is necessary to carry out the work during the breeding season, then a check should be carried out prior to felling/removal works commencing. This is to ensure that no active nests will be affected and to ensure legal compliance. If active nests were found then working restrictions would be put in place until all chicks had fledged. All wild birds and their nests, whilst in use, are protected under the WCA 1981 (as amended) from harm or destruction during the breeding season.

Yours faithfully



Phil Scott
Head of Environment, Heritage and Culture

Schedule 2

Mr & Mrs Pritchard

1 Holywell Ave

Whitley Bay

Tyne & Wear

NE26 3 AH

15th June 2021

Democratic Services, 3FL North Tyneside Council

Quadrant, The Silverlink North

Cobalt Business Park, North Tyneside, NE27 0BY

Dear Sirs,

We have previously requested the removal of the Leylandii and pine tree and are keen to replace them with alternatives of appropriate scale and species to complement the visual amenity and character of our conservation area.

Pursuant to its decision of 23 May 2018 (see Sched 1 attached), North Tyneside Council determined in exercise of its powers under the Town and Country Planning Act 1990 that it “does not consider these tree(s) to be worthy of protection by a Tree Preservation Order”. It also recommended “In order to mitigate the loss of the trees...appropriate replacement trees are planted in the front garden location.” (18/00503/TREECA). Furthermore, it has previously authorised the removal of trees at 1 Holywell when trees are overpowering other trees (09/02785/TREECA)

Our objection to the provisional TPO granted on the 28 May 2021 in relation to the pine tree is based in the first instance upon the fact that the Council has previously given permission for the felling and replacement of the said tree and nothing material has changed since its decision that that tree was not worthy of protection by such an order. Unfortunately, we were unable to action the previous permission within the two year period of its validity (hence the need for a further request). Given that the position regarding the said trees (including specifically the pine tree) is as it was at the time the May 2018 permission to fell and replace was granted, we were surprised, confused and dismayed by the imposition of the provisional TPO. The provisional order seems to us to be entirely illogical and contradicts (without explanation) the Council’s previous exercise of its powers in May 2018.

From the attached correspondence (Sched 3 and 4) we are aware that neighbours in the immediate vicinity of our home have strong views in support of our desire to fell and replace the said pine tree based on their aesthetic and safety concerns regarding it. We share those concerns and they provide additional reasons why we object to the provisional (or any) TPO. The provisional TPO relating to the pine tree significantly limits our ability to complement and enhance the visual amenity and character of our conservation area. We confirm that it remains our intention to replace the pine tree with an alternative of appropriate scale and species.

Consequently, we request the provisional TPO be removed to enable replacement with an alternative of appropriate scale and species to complement the visual amenity and character of our conservation area. Acceding to our request amounts to no more than reinstating the previous permission of May 2018. At that time there were good reasons for North Tyneside Council's granting of such a permission, all of which still exist today.

Yours faithfully

A & J Pritchard

Schedule 3

North Tyneside Council
The Quadrant

2, Holywell Avenue
Whitley Bay
NE26 3AA

Dear Sirs

Proposed Tree Preservation order No 1 Holywell Avenue

I understand that following the previous granting of permission for the removal of the overgrown Pine Tree in the front garden of number 1 Holywell Avenue NE26 several years back, this order has now lapsed and NTMBC are now proposing to apply a "tree preservation order on the tree "

Was it the Aggressive tactics of recently arrived neighbours (who are not affected by the subject Tree) that has been the prime motivation for this proposed order .???

As the neighbour who owns the House directly opposite the garden where the tree is situated, felling the Tree would be a blessing!! I have watched this tree grow 3 fold since 1986 (initially the tree height was just below the 1st floor Sill height of No 1 - today, it is at least 5 metres above the height of the apex of the roof of no1, it is thinning - gradually dying and looking unsightly

Assuming NTMBC still operate insured liability they should be aware that the tree sways wildly in wind (the species have shallow roots and become unstable if allowed to grow unchecked) - it is only a matter of time before it comes crashing down across Holywell Avenue slicing, through my property No 2 opposite and NTMBC will have to cover the substantial bill for damages

Holywell Avenue properties already attract high Insurance premiums due to the number of properties which suffer from "Root Incursion " we do not need any more trees growing beyond their usefulness to exacerbate the problem
you must see the serious damaged caused to the footpaths of Holywell Avenue by overgrown trees

We are vehemently against this tree protection order the unnecessary problems it creates and importantly the potential danger to life and property that exists today

Yours Faithfully

S & GL Snowball

Schedule 4

Mr & Mrs P Watson
1A Holywell Avenue
Whitley Bay
Tyne & Wear
NE26 3AH

14th June 2021

North Tyneside Council (Planning Department)
Quadrant North Tyneside,
NE27 0BY

To Whom it may Concern

We are writing to object to the serving of a provisional TPO on the tree in the front garden of 1 Holywell Avenue NE26 3AH.

We live at 1A Holywell Avenue and have lived here for over 40 years (originally on the adjoining corner of Marine Avenue and Holywell Avenue)

The tree referred to was planted by the previous owners and over the years has grown to be enormous, it is a lovely tree but is in entirely wrong environment as it is in a residential area and now spoils the visual amenity of the street.

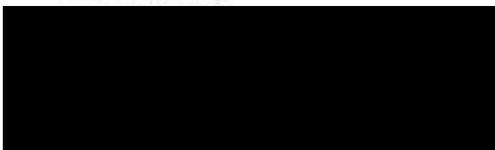
Increasingly, the tree has grown so big that it causes us huge anxiety during the frequent periods of high winds,

If the tree should happen to fall we have no doubt this would cause severe damage and destruction to our property, business vehicles and equipment which is stored at the front of the house, as well as our newly restored boundary wall which is over 100 years old, not to mention the costly impact on our shared drains and service faults to the very close by telecommunications mast that serves us and several other surrounding neighbours.

In addition our young daughter sleeps in the front bedroom of our house and she gets extremely troubled looking out the window when it is blowing around as it scares her and I have no doubt that this would hit her bedroom directly if it was to uproot and fall.

We strongly support the removal of the tree and understand our neighbours concerns and their intent to replace it with a more appropriately sized native planting.

Yours sincerely



Paul R Watson



Michelle Watson