

North Tyneside Council

Report to Planning Committee

Date: 28 September 2021

Title: 1 Holywell Avenue,
Whitley Bay Tree
Preservation Order 2021

Report from Directorate: Environment, Housing and Leisure

Report Author: Phil Scott Head of Environment, Housing and Leisure (Tel: 643 7295)

Wards affected: Monkseaton North

1.1 Purpose:

To present additional information in relation to the proposed confirmation of the 1 Holywell Avenue, Whitley Bay Tree Preservation Order 2021.

1.2 Recommendation(s)

Members are requested to consider the representations to 1 Holywell Avenue, Whitley Bay, Tree Preservation Order 2021 and confirm the Order.

1.3 Information

1.3.1 Alaric and Jo Pritchard of 1 Holywell Avenue, Whitley Bay have submitted the following additional representations:

“We have lived at this address for 10 years and have no intention of damaging a conservation area or depriving others of amenity. In summary, the paper going to Planning on 28.9.21 is positioned on an incorrect premise that the Pine will be felled and not replaced.

Appropriate replacement planting and trees were recommended and planned. If we intended to merely fell trees and leave barren, we could have done under the previous permission granted but did not.

In short, the removal of the pine without a replacement was never was our intention. We want to follow the guidance issued from the Council (below)

The removal of the Pine within the front garden area, although now clearly outgrowing its location, will leave quite a significant space as a result of its removal however, equally it will allow the adjacent street tree more space for development. The Pine tree is likely to become an increasingly problematic element in the streetscape at its current growth rate and is not appropriate in terms of scale, or eventual scale to retain within a suburban garden setting.

In light of this proposed action and to potentially mitigate its loss, the applicant should also consider an appropriate replacement tree or tree(s) within the front garden location, of appropriate scale and species, to further the aims of the Conservation Area status.

https://idoxpublicaccess.northtyneside.gov.uk/online-applications/files/789FCDC798A02C48F261301D94643DB1/pdf/18_00503_TREECA--562367.pdf

We have spent a great deal of time and effort improving the back garden and now want to concentrate on improving the front garden, however the proposed TPO prevents us from doing this. It limits our ability to plant tree replacements and native plants on the boundary along the front of the house, which is our intention if we have the permission to do so.

We had considered replacement with an ash, Willow or bird cherry tree which are all in keeping with planting in the local area, but would welcome other suggestions or recommendations from the landscape architect.

In summary, in relation to the Paper tabled, we would request option 3, no TPO imposed, to enable improvements as outlined above.”

- 1.3.2 The Committee are advised that the local authority can only require a land owner to replace a tree in a conservation area if the tree is deemed to be dead or presents an immediate risk of serious harm and therefore requires removal (Planning Practice Guidance Para 121 [Tree Preservation Orders and trees in conservation areas - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas)). A TPO tree also ensures the local authority can require a land owner to replace a protected tree.