

(Note: These minutes are subject to confirmation at the next meeting of the Committee scheduled to be held on 21 February 2017.)

## **Planning Committee**

**31 January 2017**

Present: Councillor F Lott (in the Chair)  
Councillors A Arkle, L Darke, S Graham,  
M A Green, E Hodson, Janet Hunter,  
John Hunter, C Johnson, G Madden, P Mason (part),  
D McMeekan, T Mulvenna and J O'Shea.

### **PQ47/01/17 Apologies**

Apologies for absence were received from Councillor J M Allan.

### **PQ48/01/17 Substitute Members**

There were no substitute members appointed.

### **PQ49/01/17 Declarations of Interest and Dispensations**

Councillor G Madden declared a non-registerable personal interest in application 16/01916/FULH Jubilee School House, Mullen Road, Wallsend, as he knew the applicant, Mr R Brand. Councillor Madden withdrew from the meeting room during consideration of this item.

Councillor S Graham declared of registerable personal interest in application 16/01984/FUL Land East of 12 Glebe Crescent, Forest Hall, as she was employed by Isos Housing, a subsidiary of Isos Developments Ltd, the applicants. Councillor Graham withdrew from the meeting room during consideration of this item.

Councillor Janet Hunter declared that she had pre-determined application 16/01984/FUL Land East of 12 Glebe Crescent, Forest Hall and so she withdrew from the meeting during consideration of this item.

### **PQ50/01/17 Minutes**

**Resolved** that the minutes of the meeting held on 10 January 2017 be confirmed as a correct record and signed by the Chair.

### **PQ51/01/17 Planning Officer's Reports**

**Resolved** that (1) permission to develop pursuant to the General Development Provisions of the Town and Country Planning Act 1990 and the Orders made thereunder, be granted for such class or classes of development or for such limited purpose or purposes as are specified, or not granted as the case may be, in accordance with the decisions indicated below; and  
(2) any approval granted for a limited period be subject to the usual conditions relating to the restoration of land, removal of buildings and discontinuance of temporary use.

Application No: **16/01916/FULH** Ward: Northumberland  
Application Type: Householder Full Application  
Location: Jubilee School House, Mullen Road, Wallsend, NE28 9HA  
Proposal: Removal of dilapidated 1.8m and 1.6m fence with 20cm trellis to East and South of property and removal of 7ft high hedge in sections, replaced with 1.8m fence to East and South of property to maintain private and secure enclosed garden and play area. (Retrospective) Resubmission of 16/01083/FULH  
Applicant: Mr Richard Brand

A planning officer presented details of the application to the committee. In doing so he made reference to the written report contained in the agenda papers and various images, maps and plans displayed at the meeting.

The committee received a letter sent by Councillor A Newman in relation to the application which contained photographs of the fence and the surrounding area.

Councillor Newman was present at the meeting and he was permitted to address the committee. He began by stating that the applicants were in no way to blame for the circumstances in which the application had come before the committee. Kier had been responsible for the construction of the fence without the required planning permission. Councillor Newman disagreed with the Planning Officer's judgement that the fence was visually intrusive. He believed that the application should not be refused on these grounds because a fence of the same height and materials had been erected as part of the new estate to the rear of the school house. This fence, which was connected to the school house fence, was deemed not to be visually intrusive and had been granted planning permission. The planning officer had stated that the majority of front gardens of nearby residential properties on Mullen Road were enclosed by low level boundary treatments, with a few notable exceptions. Councillor Newman stated that most low fences were situated on the opposite side of Mullen Road to the school house and the larger fences and hedges were on the same side of the road.

Richard Brand, the applicant, and the resident of Jubilee School House, accompanied by Linda McElearney, were permitted to address the committee to respond to Councillor Newman's comments. Ms McElearney explained the circumstances surrounding the construction of the fence and the retrospective planning application. She compared the length and height of the fence to a longer fence erected at 12 Warkworth Avenue which had been granted planning permission. There had been no objections to the construction of fence and approximately 20 people had expressed their support. She believed that references to planning appeals in relation to fences located elsewhere in the borough were irrelevant because they related to new, not replacement fencing. There were many examples of new high fences on new housing estates within 2 miles of the school house, all with planning permission. Mr Brand added that they had lived at the property for 10 years and they potentially could live there for a further 20 years. He asked that they be provided with their privacy during this time.

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

- a) the photographs submitted by Councillor Newman;
- b) the height, length and scale of the fence as compared to the fence it had replaced and other fences in the vicinity;
- c) the location of the fence in relation to adjacent footpaths and highways and its impact on highway safety; and
- d) the outcome of recent appeal decisions in relation to other fences.

## Decision

Application approved, subject to the conditions set out below, as the replacement fence was considered to be acceptable in terms of its impact on the character and appearance of the area, the residential amenity of immediate neighbouring properties and on highway safety, in accord with the National Planning Policy Framework and policies H11, DCPS No.9 and LDDD11 the North Tyneside Unitary Development Plan 2002.

1. The development to which the permission relates shall be carried out in complete accordance with the approved plans and specifications.  
Reason: To ensure that the development as carried out does not vary from the approved plans.

Statement under Article 31(1)(cc) of the Town & Country (Development Management Procedure) (England) Order 2010 (as amended):

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 Paragraphs 186-187 of the National Planning Policy Framework.

Application No:	<b>16/01984/FUL</b>	Ward:	<b>Benton</b>
Application Type:	full planning application		
Location:	Land East of 12 Glebe Crescent, Forest Hall		
Proposal:	Erection of 6no two bedroom three person bungalows with associated parking and landscaping.		
Applicant:	Isos Developments Ltd.		

A planning officer presented details of the application to the committee. In doing so he made reference to the written report contained in the agenda papers, two addenda which had been circulated to members of the committee prior to the meeting and various images, maps and plans displayed at the meeting.

Lesley Booth, of 50 Glebe Crescent, was permitted to address the committee. Ms Booth outlined her objection to the proposed development on the following grounds. The medium risk of flooding was too great and she outlined the impact of poor drainage in the area. She outlined the difficulties with on street parking which currently existed in the area. These problems and disputes would be made worse by the construction of a new access road and loss of existing kerbside parking. Finally Ms Booth outlined the detrimental effects of the loss of the open space.

Lea Smith, of Isos Developments Ltd, was permitted to speak to the committee to respond to the points raised by Ms Booth. He stated that less than 50% of the open space at Glebe Crescent was to be lost. A desk top investigation of the flood risk at the site, undertaken with Northumbrian Water, had concluded that there were no flooding issues. There was significant demand for the type of property proposed. The proposed parking provision within the development had been subject to local consultation and it comprised 6 parking bays, 3 visitor parking bays and a turning head.

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

- a) the Council's policy with regard to the loss of open space;
- b) the applicant's drainage strategy; and

- c) the proposed condition that locally native species of tree be planted on the site as part of the landscape scheme.

### Decision

Application approved, subject to the conditions set out below, as the development was considered to be acceptable in terms of the principle of development, including the loss of open space, its contribution towards the 5 year housing land supply, its impact on surrounding amenity and amenity of proposed occupiers, the impact of design and layout on the character and appearance of the area and car parking and access, contamination and ecology in accordance with the relevant policies contained within the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:
  - Application form
  - Location plan
  - Existing site plan Drawing No. SU01
  - Proposed site plan Drawing No. SK 101 Rev C
  - Proposed floor plan and elevations Drawing No. SK103
  - Drainage strategy Drawing No. 000-00Reason: To ensure that the development as carried out does not vary from the approved plans.
  
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
  
3. No other part of the development shall be commenced until:-
  - a) A detailed site investigation has been carried out to establish:
    - i) If the site is contaminated;
    - ii) To assess the degree and nature of the contamination present, and whether significant risk is likely to arise to the residents and public use of land;
    - iii) To determine the potential for the pollution of the water environment by contaminants and;
    - iv) The implication for residential development of the site and the quality of the residential environment for future occupiers.Such detailed site investigation to accord with a statement of method and extent which shall previously have been agreed in writing by the Local Planning Authority and
  - b) The results and conclusions of the detailed site investigations referred to in (a) above have been submitted to and the conclusions approved in writing by the Local Planning Authority. The Phase 2 Report should be written using the current government guidelines.
  - c) If remediation is required following the assessment of the chemical results under current guidelines, then a method statement should be provided for comment. This should provide details of exactly how the remediation works are to be carried out, detailed site location plan of where material is to be deposited and details including drawings of gas protection scheme should be included.
  - d) If remediation is carried out on the site then a validation report will be required. This should provide evidence of what remediation has been carried out over the site. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. This report should verification of the type, source, depth, location and suitability ( to include

any test certificates for material to be imported on site to ensure it is not contaminated) of the imported materials for their use on site. This should include cross sectional diagrams for the site and detailed plans of the site. This report should be submitted before the contaminated land condition can be removed from the planning application.

- e) If any unexpected contamination or hotspots are encountered during the investigation and construction phases it will be necessary to inform the Local Authority then cease development and carry out additional investigative works and subsequent remediation if any unexpected contamination or underground storage tanks are discovered during the development. Work should be ceased until any risk is assessed through chemical testing and analysis of the affected soils or waters.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

Reason: To ensure that the potential contamination of the site is properly investigated and its implication for the development approved fully taken in to account having regard to policy E3 of the North Tyneside Unitary Development Plan 2002.

- 4. The development hereby permitted shall not be constructed above damp proof course level until the details of a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground has been submitted to and agreed in writing by the Local Planning Authority. Upon approval of the method statement:

- a) A detailed site investigation should be carried out to establish the degree and nature of the gas regime, and whether there is a risk likely to arise to the occupants of the development. The results and conclusions of the detailed site investigations should be submitted to and the conclusions approved in writing by the Local Planning Authority. The Ground Gas Assessment Report should be written using the current government guidelines.
- b) In the event that remediation is required following the assessment of the ground gas regime using current guidelines, then a method statement must be submitted to and approved in writing by the Local Planning Authority. The detailed design and construction of the development shall take account of the results of the site investigation and the assessment should give regard to results showing depleted oxygen levels or flooded monitoring wells. The method of construction shall also incorporate all the measures shown in the approved assessment. This should provide details of exactly what remediation is required and how the remediation will be implemented on site; details including drawings of gas protection scheme should be included.
- c) Where remediation is carried out on the site then a validation report will be required. This report should confirm exactly what remediation has been carried out and that the objectives of the remediation statement have been met. The validation report should include cross sectional diagrams of the foundations and how any gas protection measures proposed in the remediation method statement are incorporated. In the event that integrity testing of membranes is required then any test certificates produced should also be included. A verification report shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied/brought into use.
- d) In the event that there is a significant change to the ground conditions due to the development, for example grouting or significant areas of hard standing; then additional gas monitoring should be carried out to assess whether the

gas regime has been affected by the works carried out. In the event that the gas regime has been altered then a reassessment of remediation options shall be submitted to the Local Planning authority to be agreed in writing before the development is occupied/brought into use.

Thereafter the development shall not be implemented otherwise than in accordance with the scheme referred to in c) above.

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions from underground and or adverse effects of landfill gas which may migrate from a former landfill site having regard to policy E3; of the North Tyneside Unitary Development Plan 2002.

5. The construction site subject of this approval shall not be operational and there shall be no construction, deliveries to, from or vehicle movements within the site outside the hours of 0800-1800 Monday - Friday and 0800-1400 Saturdays with no working on Sundays or Bank Holidays.

Reason: To safeguard the amenity of nearby residents having regard to policy E3 of the North Tyneside Unitary Development Plan 2002 and National Planning Policy Framework.

6. Notwithstanding Condition 1, prior to the construction of any dwelling above ground level a schedule and/or samples of all surfacing materials and finishes 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 Policy H11 of the North Tyneside Council Unitary Development Plan 2002.

7. Notwithstanding Condition 1, prior to the commencement of construction works of the site showing the existing and proposed ground levels and levels of thresholds and floor levels of all proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: This information is required to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

8. Notwithstanding Condition 1, the boundary treatments shall be provided in accordance with the details shown on Dwg No. SK101 Revision C unless otherwise agreed in writing by the Local Planning Authority. These agreed boundary treatments shall be retained hereafter.

Reason: To ensure that the proposed development does not adversely effect the privacy and visual amenities enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

9. Notwithstanding Condition 1, prior to the occupation of any dwelling a fully detailed landscaping scheme, including locally native trees (minimum size of 12-14cm girth), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be carried out in accordance with these agreed details. The agreed landscaping shall be planted in accordance with these details within the first planting and seeding seasons following the commencement of development. Any trees or plants which, within a period of five years from the

completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the current or first planting season following their removal or failure with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.

10. Notwithstanding Condition 1, prior to the occupation of any dwelling details of facilities to be provided for the storage of refuse bins within the site and a scheme to manage refuse collection, including identifying a suitable storage area for collection day only, shall be submitted to and approved in writing by the Local Planning Authority. The facilities which shall include the provision of wheeled refuse bins shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.

Reason: To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

11. Notwithstanding Condition 1, no development shall commence until a Construction Method Statement, in conjunction with a landscape feature(s) protection 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. Any site storage or parking of (plant) vehicles located within the root protection area of any tree within the wider area of the proposed site is to be protected in accordance with BS5837: 2012 Trees in Relation to Construction-Recommendations. 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 and residential amenity having regard to Policies H11 and E14 of the North Tyneside Council Unitary Development Plan 2002.

12. The scheme for parking and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

13. Notwithstanding Condition 1, prior to the construction of any dwelling above damp proof course a surface water management strategy shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a

filter drain to be installed along the western boundary of the site and a raised footpath crossing to the site access. No dwelling shall be occupied until the details hereby approved have been constructed and thereafter permanently retained.  
Reason: To reduce flood risk having regard to NPPF.

14. Notwithstanding Condition 1, prior to the occupation of any dwelling a scheme for the provision of secure undercover cycle parking shall be submitted to and approved by in writing the Local Planning Authority. Thereafter, this scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of promoting alternative modes of transport having regard to NPPF.

15. Notwithstanding Condition 1, prior to the commencement of development the following details shall be submitted to and approved in writing by the Local Planning Authority:

Upgrade of existing footpaths abutting the site

Associated drainage

Associated street lighting

Associated road markings

Associated signage

Thereafter, these agreed works shall be implemented prior to the occupation of any dwelling and retained thereafter.

Reason: This information is required at the outset, in order to minimise danger, obstruction and inconvenience to users of the highway and of the development having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

16. No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the approved drawing.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

17. No other part of the development shall be occupied until the means of access has been altered in accordance with the approved drawing.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

18. No part of the development shall be occupied until an area has been laid out within the site for refuse vehicles to turn in accordance with the approved drawing and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway having regard to policy H11 of the North Tyneside Unitary Development Plan 2002.

19. Notwithstanding Condition 1, prior to the operation of any part of the development hereby approved, the applicant shall undertake all necessary procedures required under Section 247/257 of the Town and Country Planning Act 1990 to secure the following;

- Stop up the adopted highway within the site that is no longer required.

Reason: In the interests of highway safety in accordance with policy H11 of the North Tyneside Unitary Development Plan 2002.



**Resolved** that the Head of Law and Governance and the Head of Environment, Housing and Leisure Members be authorised to undertake all necessary procedures under Section 278 of the Highways Act 1980 to secure the following highways improvements:

- a) an upgrade of existing footpaths abutting the site;
- b) associated drainage;
- c) associated street lighting;
- d) associated road markings; and
- e) associated signage.

Statement under Article 31(1)(cc) of the Town & Country (Development Management Procedure) (England) Order 2010 (as amended):

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 Paragraphs 186-187 of the National Planning Policy Framework.

(At this point Councillor P Mason left the meeting.)

Application No:	<b>16/01801/FUL</b>	Ward:	<b>Killingworth</b>
Application Type:	full planning application		
Location:	Unit A, Bellway Industrial Estate, Benton, NE12 9SW		
Proposal:	Change of use of land and buildings from warehouse (Use Class B8) to indoor trampoline park (Use Class D2) with access, car parking, boundary treatments and associated external alterations.		
Applicant:	Funshack		

A planning officer presented details of the application to the committee. In doing so he made reference to the written report contained in the agenda papers and various images, maps and plans displayed at the meeting.

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

- a) the number of car parking spaces to be provided on site in proportion with the likely number of visitors; and
- b) the source of the letters of objection.

### **Decision**

Application approved, subject to the conditions set out below, as the development was considered to be acceptable in terms of the loss of employment land, its impact on existing centres, its design and impact on the character and appearance in the area and its impact on residential amenity and highway safety in accordance with the relevant policies contained within the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:
  - Application form
  - Ordnance Survey plan (1:1250)
  - Existing site/block plan Drawing No. 16 75 002-SP
  - Proposed site/block plan Drawing No. 16 75 06 A
  - Existing elevations Drawing No. 16 75 02
  - Proposed elevations Drawing No. 16 75 05
  - Existing floor plan Drawing No. 16 75 01

-Proposed ground floor plan Drawing No 16 75 03 A

-Proposed first floor plan Drawing No 16 75 04 A

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

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

3. No sound reproduction equipment which is audible outside the curtilage of the premises shall be operated on the site.

Reason: In order to protect the amenities of occupiers of nearby properties having regard to policy E3 and H13 of the North Tyneside Unitary Development Plan 2002.

4. Notwithstanding Condition 1, prior to the installation of any external plant and equipment a noise scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include the rating level from external plant and equipment, as measured one metre from façade of nearest sensitive receptor, does not exceed the background noise level by more than 5 dB for the representative time period that the plant and equipment is operated. The measurement shall be carried out in accordance with BS4142. Thereafter, the external plant and equipment shall only be installed in accordance with these agreed details and permanently retained.

Reason: In order to protect the amenities of occupiers of nearby properties having regard to policy E3 and H13 of the North Tyneside Unitary Development Plan 2002.

5. 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 an 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 and residential amenity having regard to Policies H13 of the North Tyneside Council Unitary Development Plan 2002

6. The scheme for parking and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway

having regard to policy LE1/4 of the North Tyneside Unitary Development Plan 2002.

7. Notwithstanding Condition 1, the development hereby approved shall be carried out in full accordance with the submitted Travel Plan unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To accord with Central Government and Council Policy concerning sustainable transport.
  
8. The premises shall only be open for business between the hours of 09:00 - 22:00 on any day.  
Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

Statement under Article 31(1)(cc) of the Town & Country (Development Management Procedure) (England) Order 2010 (as amended):

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 Paragraphs 186-187 of the National Planning Policy Framework

### **PQ52/01/17 Tree Preservation Order – Land to the Rear of Nicholson Terrace, Forest Hall (Killingworth Ward)**

In October 2016 the Council had received a report from a resident that trees had been felled on land to the rear of Nicholson Terrace/Woodlands Grange, Forest Hall together with a request that they be subject to a Tree Preservation Order (TPO). In accordance with the Town and Country Planning Act 1990 (as amended) the Council may issue a TPO where it considers it necessary to maintain and safeguard the contribution made by these trees to the site.

The Council's Landscape Architect had undertaken a site visit and had considered that the ash, hawthorn, oak, hazel and sycamore trees were worthy of a TPO. Consequently The Council of the Borough of North Tyneside (Land to the rear of Nicholson Terrace, Forest Hall) Tree Preservation Order 2016 had been made and served on affected residents on 15 October 2016.

Four representations had been received objecting to the confirmation of the Tree Preservation Order from residents living in Woodlands Grange and Nicholson Terrace. Details of the objections were presented to the committee.

The Landscape Architect advised that the trees had reasonable/good shape and form and are semi mature specimens. Although the rear lane to Nicholson Terrace was private, the trees formed a valuable screen between Nicholson Terrace and Woodlands Grange and were an important habitat for wildlife. The trees were considered an asset to the local environment. The TPO did not prevent the felling or pruning of trees, but it gave the Council control in order to protect trees which contributed to the general amenity of the surrounding area. If the Order was confirmed then residents could apply to fell or carry out any pruning works to the trees.

The committee gave consideration as to whether to confirm the making of TPO taking into account the representations received. The committee concluded that the TPO should be confirmed without modification because the trees were an asset to the local environment and the TPO did not prevent the felling or pruning of trees, but it gave the Council control in order to protect trees which contribute to the general amenity of the surrounding area.

**Resolved** that The Council of the Borough of North Tyneside (Land to the rear of Nicholson Terrace, Forest Hall) Tree Preservation Order 2016 be confirmed with no modifications.