

North Tyneside Council
Report to Decision Maker:
Stephen Ballantyne, Head of Law and
Monitoring Officer
Date: 19 December 2024

Officer Delegated Power
Report (non executive
decisions)

Title of Report: Proposed Tree
Preservation Order at Hadrian
Road, Wallsend, NE28 6BQ

Report from Service Area: Governance Services

Responsible Officer: Ros Reid, Democratic Services (Tel: (0191) 643 7155)
Officer

Wards affected: Wallsend Central

PART 1

1.1 Executive Summary:

The purpose of the report is to seek approval of the Head of Law and Monitoring Officer for the making of a Tree Preservation Order (“TPO”) in respect of trees at Hadrian Road, Wallsend, NE28 6QB following consultation with the Chair and Deputy Chair of the Planning Committee.

1.2 Recommendation(s):

It is recommended that:

- (1) the Authority makes the Tree Preservation Order proposed; and
- (2) the Authority confirms the Tree Preservation Order if no objections have been received.

1.3 Council Plan and Policy Framework

This report relates to the following themes/programmes/projects in the Our North Tyneside Plan 2021-25:

A Green North Tyneside

1.4 Information:

1.4.1 Background

- 1.4.2 Under the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation)(England) Regulations 2012 the Authority can make a Tree Preservation Order if it appears to the Authority to be in the interests of amenity to make provision for the preservation of trees or woodland in its area.
- 1.4.3 The legislation sets out the process to be followed in making a Tree Preservation Order including the format of the Order, who to notify of the making of the order, how affected persons may make representations in relation to the Order, and the timescale for the receipt of those representations.
- 1.4.4 The Authority proposes to make a TPO in respect of a group of trees situated within a belt of shrub planting and long grass located between the metro line and Hadrian Road, Wallsend, NE28 6BQ
- 1.4.5 The trees proposed to be protected by the TPO are a mix of species which vary in age and are highly prominent from Hadrian Road and the metro line. The trees provide a screening between the road and the metro line.
- 1.4.6 The trees are not located within the conservation area however they are within a designated wildlife corridor as per Local Plan policy DM5.7.
- 1.4.7 The Authority considers removal of the trees would have a detrimental impact on the amenity of the local area and therefore protection of the trees is vital.
- 1.4.8 A TPO would assist in safeguarding the trees from poor excessive or unnecessary pruning or removal.

1.5 Decision options:

The following decision options are available for consideration:

Option 1

To make the TPO as proposed and to confirm the TPO if the Authority receives no objections.

Option 2

Not to make the proposed Tree Preservation Order.

Option 1 is the recommended option.

1.6 Reasons for recommended option:

Option 1 is recommended for the following reasons:

The Order will protect the trees from removal or unauthorised pruning works and will allow for any proposed works to the trees to be scrutinised.

1.7 Appendices:

If there is only one Appendix, this should be referred to as follows:

Appendix 1: Draft Tree Preservation Order

Appendix 2: Site Location Plan

Appendix 3: Proforma for TPO Request

Appendix 4: Tree Evaluation Method for Tree Preservation Orders

1.8 Contact officers:

Ros Reid, Democratic Support Officer, tel, (0191) 643 7155

Peter Slegg, Planning Policy Officer, tel, (0191) 643 6308

Andrew Scrambler, Senior Landscape Architect, tel 07542087370

1.9 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

(1) The Town and Country Planning Act 1990, [Town and Country Planning Act 1990 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1990/1) Accessed 16 May 2023

(2) The Town and Country Planning (Tree Preservation) (England) Regulations 2012, [The Town and Country Planning \(Tree Preservation\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2012/1241) Accessed 16 May 2023

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no financial implications directly arising from the creation of a Tree Preservation Order. The cost of making the Order will be met from within existing budgets.

2.2 Legal

The process of making a Tree Preservation Order is covered under the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation)(England) Regulations 2012 which sets out the process to be followed and who needs to be informed of the making of the Order.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

In accordance with the Officer Delegation Scheme LG45(r) the Chair and Deputy Chair of Planning Committee have been consulted and have agreed to the making of the Tree Preservation Order.

2.3.2 External Consultation/Engagement

As part of the process of making the TPO the Authority is required to notify people with an interest in the land on which the trees are located and invite representations about any of the trees. This is a requirement of the legislation and if the Order is agreed a standard notification will be sent to the interested parties.

2.4 Human rights

All persons affected by the TPO will be notified of the making of the Order and given the opportunity of submitting representations about any of the trees. Any representations received will be considered by the Planning Committee before any decision is made to confirm or not confirm the Order.

2.5 Equalities and diversity

There are no Equalities and diversity implications.

2.6 Risk management

There are no risk management implications.

2.7 Crime and disorder

There are no crime and Disorder implications.

2.8 Environment and sustainability

The protection of the trees by the tree preservation order will contribute to keeping the Borough a green place and will ensure that only sympathetic works are undertaken to the trees.