DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0956/21/HFUL
Proposal: Replacement of the existing upvc windows with timber sash windows, demolish existing single storey kitchen extension and construct new rear part single storey/part 2 storey kitchen/dining room, sun lounge, w.c., bathroom and ensuite extension with 7no. rooflights and cream render finish. Associated alterations to existing door and window arrangements. Demolish existing detached garage, increase height of rear boundary wall and provide new black wood-grain effect shutter door and arched timber gate
Location: 1 Ashleigh Villas
East Boldon
NE36 0LA

Site Visit Made: 05/09/19; 14/10/21; 09/04/22

Relevant policies/SPDs

East Boldon Neighbourhood Plan – Adopted December 2021

1 EB3 (Design)

2 EB4 (Heritage Assets)

South Tyneside LDF

1 DM1 - Management of Development (A, B & C)

2 DM6 - Heritage Assets and Archaeology (B – iii)

3 SPD9 - Householder Developments

4 SPD15 - East Boldon Conservation Area Management Plan - Adopted April 2009

5 East Boldon Conservation Area Character Appraisal – February 2006

6 LDF CS EA3 - Biodiversity and Geodiversity

7 DM7 - Biodiversity and Geodiversity Sites

Description of the site and of the proposals

The application site is a semi-detached property fronting onto Front Street (A184), within the East Boldon Conservation Area, situated between Grange Park and The Hawthorns, and a short distance from the junction where Front Street meets with Sunderland Road (A184) and Station Terrace (B1299).

The East Boldon Conservation Area Appraisal (2006) identifies the historic and architectural significance of the properties at Ashleigh Villas. The application property forms part of a collection of imposing two-storey predominantly buff brick houses in terraced, semi-detached or double fronted detached form, which all adopt similar designs and motifs. The properties display strong gables facing the street and are

enlivened with darker brick string courses, copious timber and sandstone detailing, built using design creativity to increase their perceived grandeur.

The majority of the properties at Ashleigh Villas are subject to an Article 4 direction, which removes a number of permitted development rights; however 1 and 2 Ashleigh Villas are excluded from the direction. It would appear that this is due to the degree of changes that have been made to the original front elevations of this pair of semi-detached properties.

A planning application was granted permission in 2019 (reference ST/0367/19/HFUL) to make the following extensions and alterations to the property

- Front – alterations to the bay window creating a chamfered flat roof form (revised from a pitched slate roof to the existing front bay window shown on the original submission plans); replacement of existing uPVC windows with sliding timber sash windows; installation of six panelled timber front door;
- Rear – demolition of existing single-storey rear extension; addition of a two-storey rear extension with cream render exterior with single pitched slate roof (built against the two-storey single pitched extension at 2 Ashleigh Villas, creating a dual pitched roof form); extension of a single-storey extension with cream render exterior and hipped slate roof to the rear and side of the proposed two-storey extension; demolition of existing detached garage and replacement with sliding timber gate to boundary;

This planning application seeks consent for a development that is relatively similar in character to the approved scheme, but with the following principal changes:

- Extending the approved first floor rear projection an additional two metres to the rear (occupying the same footprint as the approved ground floor extension;
- Amending the ground floor extension from a hipped roof to a pitched/gable roof form at the rear;
- Minor changes to elevational details including the inclusion of additional rooflights and an obscure glazed bathroom window to the rear;
- Proposals to create a new boundary treatment (reclaimed brick wall) with an arched pedestrian gate and a black wood grain effect shutter (the previous application had sought to retain the existing boundary treatment – this has been subsequently damaged during Storm Arwen with Heras fencing in place);

A non-material amendment application (ST/0670/21/NMA) was submitted (and subsequently withdrawn) for these proposals, as the proposals are considered to be material changes to the approved scheme.

In addition to the application plans, the application submission includes a Heritage Statement and a Design and Access Statement summarising the proposals, a Bat Survey, and an Arboricultural Impact Assessment (AIA). These documents refer to the proposals submitted in the approved application ST/0367/19/HFUL, and not the current proposals, which make material changes to that approved scheme.

An additional document has also been provided by the applicant in response to feedback from the case officer and consultees on the application proposals. This response has included more detail on the extent of work that would be required to trees adjacent to the site in order to reflect the changes in the proposals when compared with the previous application.

Publicity / Consultations (Expiry date 10/11/21)

1) Neighbour & Site/Press Notice responses

One response received; comments summarised below:

2 Ashleigh Villas, East Boldon

- *This application relates to the other half of my semi-detached property;*
- *The documents provided are mostly straight forward and the plans seem acceptable;*
- *Raises a concern regarding the proposed finish proposed for the external walls given the properties fall within the East Boldon Conservation Area - the plans suggest that the new build work be completed in block work and finished with a cement render;*
- *The architect suggests that it is not practical to attempt to match the existing cream coloured brick work. This is neither true nor acceptable to me. It is quite possible to find either modern bricks (albeit of slightly different dimensions) to match the existing building, or to procure vintage bricks from vendors or reutilise the bricks in 1 Ashleigh Villas;*
- *Photograph 3 shown in the Bat Survey Report shows that the bricks used in building the single storey extension to my property built not so many years ago, provide a good match in colour and texture to the original 19th Century brick work. This is both possible and highly desirable;*
- *I trust serious efforts will be made by building control to ensure no damage is incurred to the roots of the trees during construction as described in the tree report;*
- *A Party Wall Agreement will need to be put in place;*

(Case officer comment: The relevant planning issues raised are considered within the Assessment section of the report

The East Boldon Neighbourhood Forum was also notified. No response was received.

2) Consultee responses

STC Historic Environment Officer (Observations provided)

Whilst the proposal is acceptable in principle, I would make the following observations:

1. *The proposed site and roof plan appears to indicate the extension would extend slightly past the existing rear offshoot of the adjoining property. Is this an error?*
2. *I am not supportive of the proposal to introduce a render finish. It is possible to source buff brick, whether they be new or reclaimed.*
3. *I am not supportive of the proposal to increase the height of the rear boundary wall. The existing historic brick wall should be retained, although I have no objection to the replacement of the existing gates.*
4. *The reinstatement of timber sliding sash windows is encouraged but I will need scale drawings and an indication of the depth of reveal in order to ensure the new windows do not introduce a flat, bulky appearance.*
5. *I will require confirmation that a natural Welsh slate will be used on the proposed extension.*

(Case Officer Comment: It is noted that the use of buff bricks were sought when considering application ST/0367/19/HFUL, for comparable proposals, but the use of a cream render to the exterior was accepted on balance. That application also approved the use of additional timber window openings based on the level of detail currently submitted and was subject to a condition that slate was of a similar appearance to the main dwelling. The points listed above were raised with the applicant's agent by the case officer.

Confirmation was provided that 1) the first floor was intended to extend slightly past the adjoining rear offshoot; 2) that the applicant wishes for the application to be determined on the basis of a render finish (it is recognised that this was permitted as a acceptable compromise on balance based on the information submitted in application ST/0367/19/HFUL, a permission which remains extent); 3. The rear boundary has subsequently collapsed due to recent storm damage; 4. Information was

submitted providing a range of options of sash windows, but not stated which were to be used; 5. Confirmation was provided that a natural Welsh slate would be used.

The Historic Environment Officer providing subsequent responses accepting the use of the render (on the basis that this was previously agreed as a compromise on application ST/0367/19/HFUL) and requesting confirmation in writing of the chosen option they are going for the sash windows. A more slender frame is preferable, and the style of horn should match those seen on other properties along the terrace. Confirmation was provided of no objections to the proposed boundary wall to the rear (having considered the circumstances and explanation provided).

Following submission of final details of the proposed window details on 11/07/22, the Historic Environment Officer confirmed their opinion that the details provided were acceptable, and that they have no further observations.

STC Landscape Architect (No comments received).

(NB. The following comments were provided in response to the previous application ST/0367/19/HFUL, which provided the same Arboricultural Report within the initial application submission):

The AIA sets out clear mitigation methods to be undertaken during construction. If planning permission is granted then these should be implemented and controlled through a suitable planning condition making specific reference to the AIA. To ensure that work is being carried out appropriately some supervision would be necessary.

STC Tree Team

T2
I would agree with the Dendra AIA assessment 4.3.1 and 5.2.1 in relation to it being unlike that roots will impacted upon by the foundations of the proposed extension, as the ground level is higher. However, it would be preferable for this to be confirmed prior to planning consent with trial holes, as it may be possible to condition foundation type.

The greatest impact is likely to be the crown of T2 should consent be granted, the new 2 flour extension will be within the currant lower section of the crown to the south east and large limb/s removal will likely be required, altering the tree visual appearance and leaving a large would on the tree stem of the mature tree. That large pruning cuts have a risk to be detrimental in the long term, as the cuts fail to occlude in a reasonable timeframe, due to the maturity of the tree, allowing decay to the heart wood.

Overhanging of T2 (see dendra report 4.2.2)
Living with a large overhanging tree can be a nuisance and perhaps further thought should be given to this, as leaf drop blocking the gutters and Sycamore trees have a tendency to have large numbers of aphids that produce large amounts of honeydew in the summer months, this will likely cause a nuisance to the owners, as they will need to clean the roof windows on a weekly or even daily basis. (see dendra report 4.4.1).

G1
No objection to proposed works, as the trees are very small self-sown trees growing in an inappropriate location.

T1
Minimal to no impact.

T3

Possible minimal impact on the RAP

Overall the impact of this proposed extension is likely to be greatest to T2, the large mature Sycamore. It will alter the visual impact of the tree from The Hawthorns and within the park and has a potential to allow decay into the stem of the tree from the failure of the tree being able to heal itself.

The case officer sought additional clarification on from the Tree Team on the following two key points; (1) Is the the harm identified to T2 considered to be significant enough harm to justify the refusal of planning permission; and (2) Noting the existence of the extant planning permission from 2019 (The STC Landscape Architect did not object to the proposals provided that the works were carried out in accordance with the recommendations with the report), and the significant weight that must be given to the existence of the extant permission for a similar development, is it considered that the current proposal causes materially more harm to T2 than the proposal granted permission in 2019 or are the impacts the same/similar to that proposal? The Tree Team provided the following comments in response:

1) *It has the potential to be detrimental, but it is hard to tell from the plans and looking on site, it would be nice to have the applicant advise, exactly what branches they are to remove.*

2) *I don't think this is a significant change.*

Further information was supplied by the applicant confirm exactly which branches they are proposing to remove in order to enable this development to go ahead.

Having looked at the information below, it is only a minor change, but it will make a difference. If you are minded to allow the development, the proposed branch removal will make a difference to the visual impact of the tree, when viewed from the road and Park. I don't think it will be highly detrimental to the tree.

<u>STC Countryside Officer</u>

My comments on this application relate to its potential to impact on biodiversity including designated sites; statutorily protected species; and priority species and habitats listed in the UKBAP and/or Durham BAP.

The applicant has submitted the following documents relating to ecology to inform their application:

- *Bat Surveys of: 1 Ashleigh Villas, East Boldon, South Tyneside, NE36 0LA by Dendra Consulting Ltd*

The building was assessed internally and externally by a suitably qualified professional during a survey on 25th June 2021 which is within the active period for bats. The report concluded that:

'A risk assessment survey of the property conducted on 25th June 2019 did not reveal any evidence of roosting bats at the site, however potential access points suitable of supporting crevice-dwelling bats were noted were noted at the walltop beneath the eaves and barge boards on the front and side elevations of the main property. In accordance with industry standard survey guidelines (Collins, 2016), one nocturnal activity survey was recommended and undertaken on 24th July 2019'

The subsequent survey was then undertaken on the 24th July 2021 and found:

'The nocturnal activity survey recorded moderate levels of bat activity in the surrounding area, however no bats were noted roosting within the property.'

I am satisfied that the ecological survey work undertaken is in accordance with good practise and is adequate and appropriate to support this planning application. As no bat roost was recorded at the property there are no likely direct impacts on this protected species from this proposed development however as bats are highly mobile animals, there remains a residual risk that bats could be found during works so please include the bat informative below with any consent granted.
In addition to the bat informative, please include the bird informative below as birds can nest in buildings and vegetation creating a risk of nesting birds being present during the works.

Bat Informative
All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should a bat or signs of bats be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.
Natural England Bat Advice Line: 0345 1300 228

Breeding Bird Informative
Under UK legislation it is an offence to intentionally or recklessly disturb, damage or destroy an active birds nest. An active nest is one which is in the process of being built or contains eggs / chicks. Activities which may affect nesting birds must be organised and timed to avoid the bird breeding season which is March to August inclusive. Failure to do so may result in an offence being committed, regardless of planning consent, and could lead to prosecution under the Wildlife and Countryside Act 1981.

Net Gain
The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. The Case Officer should seek to secure the inclusion of a feature such as:

- *An integrated Swift Brick (an example of which can be found here: https://www.nhbs.com/manthorpe-swift-brick) in the build itself following the below criteria:*
    - *Under the eaves on the northern aspect*
    - *A clear flight line must be available to the nest*
    - *Not placed directly above windows or doors*

Assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise (with respect to any buildings or other land in a conservation area) of any functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. If the impact of the proposal on the Conservation Area would be neutral this would be acceptable.

The main issues relevant to the assessment of this proposal are the;

- Design of the proposal and its effect on visual amenity, trees & heritage assets;
- Impact on residential amenity;
- Impact on protected species;

Design/Visual Amenity/Trees/Heritage

It is considered that the proposed alterations to the front of the property, which remain the same as the previously approved proposals (significant weight is given to the existence of the extant planning approval in ST/0367/19/HFUL), and which would, on the whole, enhance and contribute positively to the character and appearance of the property or the Conservation Area and its setting. The replacement of the existing unsympathetic windows and front door with traditional timber sliding sash windows (acceptable sash window details have been provided on 11/07/22) and a six panelled timber door would be an improvement that would better reflect the historic character of the property and surrounding Conservation Area. The proposed bay window details would have an appropriate and traditional design that would mirror that of the neighbouring property.

The proposed two-storey rear extension would be substantial in terms of its scale but would essentially mirror the two-storey extension at the rear of the adjoining property in terms of its scale, projection and proportions – the main difference from the previous approval is that this would extend two metres further to the rear than the previous approval. While this would now extend slightly further to the rear of the two-storey outrigger at the neighbouring property and would be visible from some viewpoints on the Hawthorns, the majority of this extension would be screened from view from public roads. The side elevation would be visible from within Grange Park, a small community park.

The original cream/buff bricks would not be replicated; however, it is appreciated that it would likely be difficult to find a facing brick that would be a good match for the existing. The use of a cream render is considered to be acceptable on balance in this location and in the site-specific circumstances (this was previously considered acceptable on balance in the approval of application ST/0367/19/HFUL). The single storey development at the rear would not be easily visible from outside of the application site. The replacement of the rear boundary treatment with reclaimed brick, a black wood effect boundary wall and a timber gate is considered to be acceptable, particularly considering the existing lack of a boundary treatment due to storm damage, and due to the existence of similar boundary treatments on properties in close proximity to the application site.

There is a statutory duty (within the Town and Country Planning Act 1990, as amended) upon the Local Planning Authority to consider the protection and/or planting of trees, when considering development. This is also policy consideration of both LDF policy DM1(C) and the NPPF.

It follows from the above that a planning balance must be exercised taking into account the development being proposed, any tree loss or impacts that would result, and also any proposed tree replacement planting that is being proposed. As such a proposal cannot be refused simply because of a loss of trees, or a degree of adverse impact on trees (and irrespective of whether those trees are protected or not).

A number of mature trees are located outside of the application site, but within close proximity of the boundary, with the potential for the development to impact upon tree roots. The Arboricultural Impact Assessment (AIA) identifies a group of trees (G1 - mixed species) and a sycamore tree (T2) within particular close proximity of the proposed rear/side extension, with a further three trees (T1 sycamore, T3 sycamore, T4 holly) within close proximity of the site. The trees are afforded statutory protection on account of their location within the East Boldon Conservation Area.

The AIA outlines mitigation measures to be undertaken during the development stage aimed at avoiding unacceptable harm being caused to trees, including site investigation to be undertaken and if any tree roots are present within the proposed working area, then ground protection measures will need to be put in place with a sensitive foundation design to be implemented if roots are found. Protective fencing will also be required as shown on the tree protection plan after pre-development tree works have been completed, but prior the start of construction.

In consideration of application ST/0367/19/HFUL, the Council's Landscape Architect indicated that the mitigation methods to be undertaken during construction are clear and ought to be implemented and controlled through a suitable planning condition making specific reference to the AIA, with some supervision from a suitably qualified arboricultural professional required. The Council's Landscape

Architect also stated that to ensure that work is being carried out appropriately some supervision would be necessary. It was considered that the proposals would be acceptable in respect of the impact on trees (no further comments have been provided in response to consultation on this application, which is for proposals with some slight differences, but of a similar nature, and supported by the same arboricultural report as the previous application).

This was on the provision that a planning condition is provided requiring the mitigation to be carried out under the supervision of a suitably qualified arboricultural professional. This would need to take the form of a pre-commencement planning condition, which has been agreed with the applicant's agent (agreement was received in response to the previous application proposals on 04/11/19; and again on 15/07/22 in relation to this application).

The Council's Tree Team have provided consultation responses in relation to the current planning application, making reference to the extent to which the proposal is likely to affect each of the trees in close proximity to the site.

It was considered that there was no concern regarding the group of trees identified in the AIA as G1, as these trees are very small self-sown trees growing in an inappropriate location. The proposals were also considered to have minimal to no impact on T1 and only a possible minimal impact on T3.

More detailed comments were received in relation to the mature sycamore tree (T2), as the impact of this proposed extension is likely to be greatest on this tree The Tree Team's comments have identified that the works would have some effect on the tree, altering the visual impact of the tree from The Hawthorns and within Grange Park.

The Tree Team's comments have concluded that the proposed works to this tree would only be a minor change to those consented by application ST/0367/19/HFUL, an extant planning permission which must be given significant weight in decision-making. The degree of change compared with the approved scheme was not considered to be significant, and while the proposed branch removal will make a difference to the visual impact of the tree, when viewed from the road and park, this was not considered to be highly detrimental to the tree. On this basis, it is not considered that the proposal's effect on this tree would justify the refusal of planning permission.

It is considered that the design and scale of the proposed extensions to the building would not harm the visual amenities of the site's immediate environs or the character, appearance and historic significance of the East Boldon Conservation Area. The design, scale and nature of the proposals and the provisions put in place to adequately protect existing mature trees are considered to avoid significant harm being caused to the health of existing trees, to sufficiently convey sensitive consideration of the development's surroundings and to protect the special character of the East Boldon Conservation Area, in accordance with East Boldon Neighbourhood Plan policies EB3 (Design) and EB4 (Heritage Assets), policies DM1 (A & C) and DM6 of the South Tyneside LDF, and having regard to guidance in SPD9 and SPD15.

Impact on Protected Species

A bat survey has been submitted with the application, which was requested by the LPA at validation stage using criteria based on national principles to determine which properties are more likely to be used by bats.

The bat survey report has concluded that no significant impacts are predicted and the Council's Countryside Officer has accepted its findings, and concluded that no impacts on protect species are anticipated due to the proposed development.

Ecological net gain enhancements have been suggested by the Council's Countryside Team. The NPPF encourages applicants to aim to provide a net gain for biodiversity; however this is not a necessary requirement in order for the development to accord with the development plan and NPPF, as the

development would not lead to any likely risk of harm to biodiversity. A planning condition requiring the provision of these enhancements would not meet the tests for conditions (NPPF paragraph 55). The enhancements that have been suggested include the provision of a swift brick and an informative note is recommended to encourage that these measures are included as part of the development where possible.

It is also recognised that the consultation response from the Countryside Team in the 2019 application for works of a similar nature, and based on the same ecological report only requested that an informative note be included, as the bat survey report has concluded that no significant adverse impacts are predicted and the Council's Countryside Officer has accepted its findings, and concluded that no impacts on protect species are anticipated due to the proposed development.

The proposal would be in accordance with LDF Core Strategy Policy EA3 and Development Management Policy DM7. An informative note on the protection afforded to bats is recommended as bats are highly mobile creatures.

Residential Amenity

The two-storey rear extension would be a sizable extension but would be be built up against an existing two-storey rear extension at 2 Ashleigh Villas, which is of a similar scale, shape massing, rear projection and shape. The new proposal put forward in this application would now extend two metres beyond the existing outrigger, there are no habitable room windows in the rear gable elevation of the outrigger, and the proposals would therefore not have the potential to impact on the amenity of this neighbour.

The single-storey rear extension would also be built up against a single-storey structure to the rear of the adjoining property, while the extension to the side would be set away from the neighbouring property, towards the west where Grange Park is located. The residential amenity of the neighbour at 2 Ashleigh Villas is not considered to be significantly impacted by the proposed development.

There are no residential neighbours in close proximity to the west, while the properties to the rear (north), situated on The Hawthorns, are a significant distance away.

The proposed changes to the front of the property would not have the potential to impact on the residential amenities of neighbours.

It is concluded that the proposals would not have any materially harmful impact on neighbouring residential amenity, and would be in accordance with East Boldon Neighbourhood Plan Policy EB3 (Design) and South Tyneside LDF Policy DM1 (B).

Summary

It is considered that in the site circumstances and context of this particular case that the proposal would be in accordance with the relevant policies of the East Boldon Neighbourhood Plan, including policies EB3 (Design) and EB4 (Heritage Assets); South Tyneside Local Development Framework (LDF) Policy DM1 (A, B & C), having regard to design guidance in Supplementary Planning Document (SPD) 9 'Householder Developments'. The proposal would also be in accordance with Policy DM6 of the South Tyneside LDF, and guidance in SPD15, having regard to all other material planning considerations. It is considered that the proposal would be an acceptable form of development, subject to the conditions listed below.

The proposal would be in accordance with LDF Core Strategy Policy EA3 and Development Management Policy DM7. An informative note on the protection afforded to bats is recommended as bats are highly mobile creatures.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Grant Permission Householder with Conditions

Conditions

1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

2 The development shall be carried out in accordance with the approved plan(s) as detailed below

1:200 Site/Roof Plan Drg No 2 received 09/09/21
Drg No 1 received 09/09/21
Drg No 2 received 09/09/21
Drg No 4 received 09/09/21
Drg No 0753/9763/677 Rev A received 09/09/21
Sash Window Specification for 1 Ashleigh Villas received 11/07/22

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

3 The external surfaces of the roof of the development hereby permitted shall be natural slate of a similar appearance to the slate used in the construction of the exterior of the building on which the extensions will form part. All other external materials, colour finishes and details shall be as stated on Drg No 1 received 09/09/21 and Drg No 0753/9763/677 Rev A received 09/09/21. The proposed rear boundary wall to be reclaimed brick as specified on page 4 of 'REPLY TO PLANNERS FOR 1 ASHLEIGH VILLAS ST/0956/21/HFU' received 19/01/22. Unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

To ensure a satisfactory standard of development and in the interests of visual amenity and the character and appearance of the East Boldon Conservation Area in accordance with South Tyneside LDF Development Management policies DM1 and DM6.

4 The proposed rear and side extensions hereby approved shall not be commenced until mitigation methods detailed in section 5 of the Arboricultural Impact Assessment (AIA), produced by Dendra (Report ref: GCAS_1Ashleigh_AIA1.1) received 09/09/21 have been completed under the supervision of a suitably qualified arboricultural professional. The protective fencing referred to in 5.2.3 of the AIA shall be put in place prior to the start of construction and shall remain in place during the whole period of construction works on the site.

To adequately protect that the health of trees adjacent to the site during the period of construction and in the interests of visual amenity and the character and appearance of

the East Boldon Conservation Area, in accordance with, in accordance with East Boldon Neighbourhood Plan policies EB3 (Design) and EB4 (Heritage Assets), and South Tyneside LDF Development Management policies DM1 and DM6.

5 The proposed works to the branches of the tree identified as T2 (Sycamore) within the Arboricultural Impact Assessment (AIA), produced by Dendra (Report ref: GCAS_1Ashleigh_AIA1.1) received 09/09/21, shall be limited to those shown on page 16 of 'REPLY TO PLANNERS FOR 1 ASHLEIGH VILLAS ST/0956/21/HFU' received 19/01/22.

For the avoidance of doubt and to adequately protect that the health of trees adjacent to the site in the interests of visual amenity and the character and appearance of the East Boldon Conservation Area, in accordance with East Boldon Neighbourhood Plan policies EB3 (Design) and EB4 (Heritage Assets), South Tyneside LDF Development Management policies DM1 and DM6.

6 The proposed sash windows shall be implemented in accordance with the details as specified within 'Sash Window Specification for 1 Ashleigh Villas' received 11/07/22.

In the interests of visual amenity and the character and appearance of the property and the East Boldon Conservation Area, in accordance with East Boldon Neighbourhood Plan policies EB3 (Design) and EB4 (Heritage Assets), and South Tyneside LDF Development Management policies DM1 and DM6.

Informatives

1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

3 NOTES TO APPLICANT

Your attention is drawn to the Party Wall Etc. Act 1996, which provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.

The Act is separate from obtaining planning permission or building regulations approval and you can find out more about it at: https://www.gov.uk/party-wall-etc-act-1996-guidance

4 All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether

bats are present or not. Should a bat or signs of bats be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.
Natural England Bat Advice Line: 0345 1300 228

5 Under UK legislation it is an offence to intentionally or recklessly disturb, damage or destroy an active birds nest. An active nest is one which is in the process of being built or contains eggs / chicks. Activities which may affect nesting birds must be organised and timed to avoid the bird breeding season which is March to August inclusive. Failure to do so may result in an offence being committed, regardless of planning consent, and could lead to prosecution under the Wildlife and Countryside Act 1981.

6 The National Planning Policy Framework encourages development proposals to provide a net gain for biodiversity. The following enhancements have been suggested by South Tyneside Council's Countryside Team. It is encouraged that these measures are included as part of the development:

An integrated Swift Brick (an example of which can be found here: https://www.nhbs.com/manthorpe-swift-brick) in the build itself following the below criteria:

- Under the eaves on the northern aspect
- A clear flight line must be available to the nest
- Not placed directly above windows or doors

Case officer: Chris Stanworth
Signed: Chris Stanworth
Date: 15/07/22

Authorised Signatory: Geoff Horsman
Date:18/07/22

«END»