

Appeals Panel

Agenda

Date

Thursday 5 April 2018

Members of the Appeals Panel

The Panel will comprise the following 3 Members:

Miss S Lawn (Chairman)
Mrs L H Hemsall
Mr J J Emsell

Time and Place

09:30 am – Hellesdon – site visit only
10:15 am – Salhouse – site visit only
10:45 am – Broadland District Council
Offices – Hearings

(Please see schedule overleaf for details)

Contact

Dawn Matthews tel (01603) 430404

Broadland District Council
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich NR7 0DU



Ward Members:

Hellesdon - Mr A Adams, Mr R Grady
Salhouse – Mr V Tapp, Mr F Whymark

Parish/Town Councils:

Hellesdon
Salhouse

E-mail: dawn.matthews@broadland.gov.uk

If any member wishes to clarify details relating to any matter on the agenda they are requested to contact the relevant Head of Service.



@BDCDemServices

The Openness of Local Government Bodies Regulations 2014

Under the above Regulations, any person may take photographs, film and audio-record the proceedings and report on all public meetings. If you do not wish to be filmed / recorded, please notify an officer prior to the start of the meeting. The Council has a protocol, a copy of which will be displayed outside of each meeting room and is available on request.

**The Chairman will ask if anyone wishes to
film / record this meeting**

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47 – 53 Silk Mill Road, Hellesdon, Norwich, NR6 6SJ</u> | 13 – 24 |
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| | <u>A copy of the procedure to be followed is attached</u> | 11 – 12 |
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Longacre, Howlett's Loke, Salhouse, Norwich, NR13 6EX</u> | 25 – 39 |
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| | <u>A copy of the procedure to be followed is attached</u> | 11 – 12 |

P C Kirby
Chief Executive

	Schedule – 5 April 2018
09:30 am	Meet on site outside no: 53 Silk Mill Road, Hellesdon, NR6 6SJ to inspect the trees.
10:15 am	Meet on site outside no 2 Truman Close, Salhouse, NR13 6EU to inspect the trees.
10:45 am	Convene at Broadland District Council Offices, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU to determine the Hellesdon Order
11:45 am	Convene at Broadland District Council Offices, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU to determine the Salhouse Order

Also in attendance were:

- (1) Mr A Clarke – 331 St Faiths Road, Old Catton – owner of plot 9 – objecting (Hearing only)
- (2) Ms S Vincent – Clerk to Old Catton Parish Council – supporting
- (3) Mr M Vincent – Member of Old Catton Parish Council – supporting
- (4) Mrs J Leggett – Chairman of Old Catton Parish Council – supporting
- (5) Mrs K Vincent – Local Member for Old Catton Ward – supporting (Hearing only)
- (6) The Conservation Officer (Arboriculture & Landscape) presenting the case for the Order
- (7) The Senior Planning Officer (CJ) – observing
- (8) The Committee Officer (DM) – advisor to the Panel

10 MINUTES

The Minutes of the meetings held on 26 July 2017 and 3 August 2017 were confirmed as a correct record and signed by the Chairman.

**11 THE BROADLAND DISTRICT TREE PRESERVATION ORDER 2017
(NO: 18) 1276 – LAND WEST OF ST FAITHS ROAD OLD CATTON**

The Panel had previously visited the site at 9:30am to inspect the Oak trees shown as T1 to T7 on the map attached to the Tree Preservation Order (TPO). Following introductions of all present, the Chairman invited those present (as listed above) to point out anything they wished the Panel to observe whilst on site but not to discuss the merits or otherwise of the making of the Order as this would take place at the hearing.

The Committee Officer advised the Panel that Mr Cook had contacted the office by email that morning to ask the Panel to carefully view tree T6 as work had recently been undertaken to raise the crown of this tree and the contractors had expressed concerns about the health of the tree, stating that it had a number of cavities / pockets of decay in the main trunk which were clearly visible and the tree overall was in poor condition. Members viewed the trees from various points along St Faiths Road, noting the relationship of all the trees. They paid particular attention to trees T6 and T7 in respect of which objections had been received to their inclusion in the Order. Members viewed T6 and noted the appearance and features of the tree and noted the extent of the crown lifting work undertaken. The Conservation Officer commented that the cavities would have formed as a result of wounds created by the removal of large branches in the past. He pointed out the location of one Oak tree which was already protected (nearest the mini roundabout) and he pointed out that 2 trees on plot 10 had been removed with agreement as one was a category "C" tree and one a category "U". Trees T6 and T7 were category "A" trees. (Categories as defined in the Oakfield Arboriculture Services "Arboricultural Implications Assessment and Preliminary Method Statement prepared in respect of Plot 9 – later referred to as the "Oakfield Assessment".)

The Panel then convened at 10.30am to consider the objections to the TPO. Those listed above were present. The Chairman invited those present to introduce themselves and then outlined the procedure to be followed.

The Panel noted that the Council made the decision to safeguard the trees, following the approval of full planning consent for twelve self-build plots on the site. The Council decided to make the TPO to protect the Oaks, which were considered to have significant visual amenity, for the reasons stated within the Regulation 5 Notice:

The trees in question contribute to the visual amenity of the immediate and surrounding land and are significant landscape features to the street scene of St Faiths Road.

One objection to the Order had been received on 15 August 2017 from Mr S Cook, the owner of plot 10; a further objection had been received on 17 December 2017 from Mr A & Mrs B Clarke, the owners of plot 9. Although this objection was received after the 28 day deadline, it was agreed it could be considered, having regard to the fact that the plot owner's agents (A Squared Architects) who had been notified of the Order had not forwarded the TPO documents to their clients. Mr Cook was not able to attend the Hearing.

The Panel then heard from Mr Clarke who made reference to the recent works carried out to T6 to lift the crown of the tree. The contractors had commented that the tree had rot fungus and cavities and pockets of decay. He went on to state that, prior to purchasing the plot, he had spoken to

Mr Ben Burgess who confirmed that there were no TPOs on the trees apart from the first Oak Tree, and there would be no objection to the removal of the trees and their replacement with alternative native species. On that basis he had proceeded to purchase Plot 9. If this had not been the case he would have had a preference for plot 11 or 12 which did not have any tree constraints as the trees in this area had been protected by way of their inclusion in a corridor outside the development plots. Mr Burgess was the planning case officer dealing with the planning permission for the site and was fully aware of the proposals which was why Mr Clarke had contacted him. As matters progressed, Mr Clarke had continued to communicate with the Council. He stated that initially the advice from the Highway Authority was that T6 and T7 should be removed to facilitate access to plot 9 from the highway. This advice had however changed having regard to traffic flows. The Oakfield Assessment had raised the issue that T7 would be adversely affected by work to the adjoining plots but, despite this, the Council had recommended that the tree be retained. Mr Clarke pointed out that plot 9 was the only plot which had 2 trees, whilst other plots had no impact from trees. The 2 trees adversely affected entry to the plot and he felt regard should have been given to this when considering the planning application and the plots designed in such a way as to avoid the trees. Mr Clarke stated that he had given due diligence to the proposed purchase of his plot and, on at least 2 occasions, had sought advice on the situation regarding the TPO. He refuted the statement by the Conservation Officer that he should have been aware of the position and the intention to protect the trees by virtue of the conditions attached to the planning permission which sought to protect the trees. He had taken advice and acted on advice from the planning case officer. He also refuted the claim of the Conservation Officer that the trees were not unsafe as the Oakfield Assessment referred to the works having a detrimental effect on the condition of the trees even if the recommended measures were taken to protect the trees during construction works. On this basis, he felt the Order had not been served in a just and appropriate manner as required by the legislation. The TPO should have been served in 2014 when the planning permission had been granted and steps taken to separate the trees by creation of a buffer / corridor for the trees to protect them. Mr Clarke stressed that he liked trees and was happy to provide replacements. He commented that, as supported by his contractors, T6 was not a good specimen and should not be included in the Order. T7 was a better tree but still not superb. The owners of plot 10 had also raised objections to the inclusion of T6 and T7 in the Order having regard to the poor condition of the trees. They were of the opinion that the 2 trees removed with consent were better specimens than T6 and T7. He invited the Panel to remove T6 and T7 from the Order. As an alternative, having regard to the fact that T7 was situated to the edge of his plot but T6 was in the centre of the front boundary, he asked for T6 to be removed and T7 to be retained to allow him to plant a replacement for T6 nearer the edge of the plot.

Mr Clarke then responded to questions as follows:

The Conservation Officer asked Mr Clarke if he had a written statement on the current condition of T6 as the tree had been regarded as a category “A” tree with a life expectancy of a minimum of 40 years and if this situation had changed it would be helpful to see evidence of this. Mr Clarke stated he did not have written evidence as the comments about the condition of the tree had arisen as part of remedial works undertaken just the previous week. Mr Clarke stated that the Oakfields Assessment had been an overall visual assessment whilst the latest assessment had arisen from works carried out to the tree. The Conservation Officer added that, from the ground, the historic wounds of previous pruning were visible but it was not possible to see the extent of the decay and whether or not the integrity of the tree had been compromised. A degree of rot and decay was normal and enhanced the biodiversity and ecology value of the tree for wildlife but there was a need to verify the safety of the tree. He added that, if an application was made for works to a protected tree which was found to be unsound, the Council would not be opposed to its removal but the space occupied by the tree would remain protected for a replacement tree.

Mrs K Vincent referred to documents regarding outline planning for the site and asked Mr Clarke if he was surprised that the intention was to protect the trees. The planning permission referred to the need to ensure the row of mature trees along St Faiths Road was retained. Mr Clarke responded that there was no TPO on the trees at the time other than the one Oak tree near the mini roundabout. When he purchased the plot at auction, he could see that a measure of consideration had been given to protecting trees on plot 1 and on plot 12 where a corridor had been created to separate the trees from the adjoining plots. He had also spoken to Mr Burgess. No other information was obvious to him at the time and he would have assumed that Mr Burgess would have advised him appropriately. He believed if the Council wished to protect the trees they should have served the TPO at the earlier stage.

Mrs Vincent asked Mr Clarke if the TPO would prevent him from undertaking work on his plot to which he responded that T6 would make it much harder as it was close to the road and central to the plot; it would be more difficult to achieve the visibility splays and access the plot. Mrs Vincent asked Mr Clarke, if when he brought the land, he had been aware of the various documents which referred to the protection and retention of trees associated with the development and suggested the onus was on him to be aware of the intention to protect the trees. Mr Clarke responded that he was aware of a requirement to fully consider the issue of the trees which was why he had contacted Mr Burgess. Mrs Vincent commented that Mr Burgess had no recollection of this conversation but Mr Clarke stated he had a definite recollection it had taken place and he had shown due diligence. Mrs Vincent asked Mr Clark if he was aware that the Oakfield Assessment stated that it was possible to create the access to the plot and retain the trees to which Mr Clarke responded he was aware.

In response to questions from Members, Mr Clarke confirmed that he would not have purchased plot 9 if a TPO had existed on the trees on the plot.

The Conservation Officer presented the case for making the Order. He advised that the outline planning permission for the site was subject to conditions to seek the preservation of the trees as the Council had a duty under the Town and Country Planning Act to ensure trees were protected as part of the planning process where appropriate. With regard to reference to the “position” of trees at the time, the Conservation Officer clarified that this referred to the location of the trees and not their status at the time and that Mr Clarke would have been aware of the geographical position of the trees when purchasing the plot. With regard to the visibility splays required, the starting point was always to achieve the best possible visibility splay but it was not uncommon for the requirements to be adjusted having regard to the constraints of the site and the predicted traffic flows. In this case the Highway Authority had adjusted the requirements having regard projected traffic flow and the ability to still achieve a practicable visibility splay and to the value of the trees. Removal of the trees could not be justified having regard to their significance. Negotiations had taken place with each plot owner as matters progressed with a view to finding the best solution for retaining appropriate trees whilst also achieving access to the plots. With regard to the trees on plot 10 and the claim that these had been removed but were better specimens than those on plot 9 which were proposed for protection, the Conservation Officer commented that one of the trees on plot 10 had been assessed as category “C” and one as “U”, in contrast to those on plot 9 which were category “A”. Agreement had therefore been reached for them to be removed. The Conservation Officer went on to refer to the proposals contained in the Oakfields Assessment about how trees T6 and T7 could be retained and protected during construction work. The work would be more difficult and more costly as it would involve specialist construction techniques but it could be done and the trees retained with minimal damage to them. It was felt there was adequate distance across the frontage to form an access to the plot and minimise disruption to the trees.

The Conservation Officer stated that the reason the Order had not been served when the planning permission had been granted was because there was no intention to seek to protect all the trees at that stage but instead to work with each plot owner to find the best fit solution for each plot. In conclusion, he stated that the proposals had sought to protect the most significant trees for the future. Should the situation change regarding the condition of any of the protected trees, an application for works would be considered. He added that although offers had been made to plant new trees, these would not replace a 100+ year old tree and would take a whole generation to do so; they also did not have the same biodiversity and ecological value. He concluded that he felt the Order had been served in a just and appropriate manner.

The Conservation Officer then answered questions.

Mr Clarke commented that he refuted the claim that he should have been aware of the proposals to protect the trees. He had sought clarification from Mr Burgess who had agreed the trees could be removed as there was no

TPO attached to them. His was the only plot affected by 2 trees and the costs to him of building work to accommodate the trees were very pertinent. He asked about measures used elsewhere to accommodate the trees – for example the protected corridor of trees next to plot 12. The Conservation Officer commented that the trees associated with the corridor were not in a linear form and it would not have been practical to include a building plot at this point. He understood the corridor might form a pedestrian link to the land at the rear of the self-build plots. Mr Clarke asked the Conservation Officer if he agreed that the 11m space between the trees at the frontage of his plot was not all useable space because of the impact of the trees. The Conservation Officer responded that he believed the access could be constructed within the space available using the techniques referred to within the Arboricultural Method Statement (AMS) to protect the trees.

The Panel then heard from the Clerk to Old Catton Parish Council who spoke in support of the TPO. The Parish Council had been seeking the creation of the TPO to protect the trees since March last year. The Old Catton Neighbourhood Plan sought to ensure that any development in the parish should be sensitive to the character of the area and the protection of the trees would seek to achieve that objective and help to enhance the character of Old Catton. The trees were an important visual feature in the area. She believed the serving of the Order was justified and timely – the trees were significant and needed to be retained.

The Panel then heard from Mrs K Vincent, the Local Member for Old Catton who explained that she had been approached by local residents concerned about the potential loss of the trees as they understood the trees were to be retained as part of the self-build development. Having contacted the Conservation Officer and Mr Burgess, she was assured the intention was to protect the trees and the outline planning consent stated the trees would be retained as they had significant value. The Old Catton Neighbourhood Plan which covered the period 2015 – 2035 sought to secure high quality new development which respected and helped to preserve the local character of the area. The Plan reflected the wishes of the community to protect the natural assets and character of the area. The row of Oak trees on St Faiths Road had significant visual amenity, were prominent and could be seen from some distance and there was a need to secure protection of the trees to retain the natural asset and character of the area. She did not feel that the TPO would prevent development of the plot and understood the Highway Authority had no objections to the 2 trees on plot 9 being retained. She urged the Panel to support the making of the TPO.

The Chairman then invited all present to make their closing statements.

Mr Clarke stated that T6 and T7 should not be included in the Order for the reasons outlined in his presentation. He had exercised due diligence and as a lover of trees had offered to plant replacement trees. If this was not possible, as a compromise, he asked the Panel to consider retaining T7 but

removing T6 from the Order and a replacement tree be provided nearer the boundary.

The Conservation Officer stated that, based on evidence available at the current time, the protection of the trees was justified. If the structure of tree T6 was compromised, the matter could be reconsidered and, if necessary, consent given for its removal. The development of plot 9 was achievable but not straight forward due to the constraints of the site. The trees should be protected.

The supporters reaffirmed the importance of protecting the trees to preserve the existing natural character of the area and this reflected the views of the local community as set out in the Neighbourhood Plan. These were mature Oak trees which were important visually and were significant in terms of the local landscape. There had always been a clear intention to retain the trees.

The Conservation Officer and the Senior Planning Officer, together with the objector and the supporters then left the room whilst the Panel considered the objections and made its decision. They subsequently re-joined the meeting and were advised that, having listed carefully to all the evidence put before it and having regard to the criteria for making the Order, the Panel had agreed that the Order should be confirmed in respect of trees T1, T2, T3, T4, T5 and T7 but with a modification to remove tree T6 from the Order.

The reasons for the decision were that the criteria for making the Order had been met in so far as trees T1, T2, T3, T4, T5, and T7 were concerned, the trees added significantly to both the biodiversity and visual amenity value of the local area; they were not considered to be in an unsafe condition at this time and would not cause an increase in nuisance which would be considered unreasonable or impractical to abate in the future. However, the Panel felt that the criteria had not been met in relation to T6; the tree did not make a significant contribution in terms of its visual amenity in its present condition, there was reason to fear the tree may be dangerous and the tree, in its present location, did cause a nuisance which was unacceptable and impractical.

Accordingly, it was

RESOLVED:

to confirm the Broadland District Tree Preservation Order 2017 (No: 18)
Ref: 1276 with the modification to remove T6.

The meeting closed at 11:45am

Quasi-judicial procedure rules

Appeals lodged against the making of tree preservation orders (TPOs)

The panel comprises three district councillors. At least two members of the panel must be present at each hearing.

Notes on procedure

1. Site Visit

- 1.1 On the day of the hearing, members of the appeals panel visit the site to inspect the trees subject of the appeal.
- 1.2 Members of the public, local parish council/district council ward representatives, council officers directly involved in the preparation of the TPO, and the objector may attend this site inspection, but may not make representations to members of the panel.

2. The Hearing

- 2.1 The hearing itself is informal and the order for proceedings is as follows:
 - (1) All parties assemble at the council offices.
 - (2) The chairman of the panel formally opens the hearing.
 - (3) The objector is asked to put his case for appealing against the making of the order and to call any witnesses in support of his case.
 - (4) The objector (if he gives evidence as opposed to an opening address) and/or any witnesses called, are then questioned on their statements by the officer representing the council as an advocate.
 - (5) The chairman of the panel invites members of the panel to ask the objector or his witness any questions which they consider relevant to the appeal, having heard the objector's case for appealing against the order.
 - (6) The council's advocate introduces the council's case for the making of the order and then calls other officers as witnesses, who can then be questioned by the objector.
 - (7) The chairman of the panel invites members of the panel to ask the council's witnesses any questions they consider relevant to assist them in deciding whether or not the order should be confirmed, modified or not confirmed.
 - (8) The chairman then asks if any parish council representative, or any district councillor (who is not a member of the panel) or member of the public present, wishes to say anything to the panel. If a parish council representative, district councillor (who is not a member of the panel) or member of the public does make a statement then he can be questioned by the representative of the party to whom that statement is adverse and then by members of the panel. Each statement will be fully dealt with, including questioning of its maker, before the next statement is dealt with.
 - (9) The council's advocate and then the objector are requested to make their respective closing statements.
 - (10) The panel then deliberates in private.

- (11) During its deliberations the panel will be advised on procedural matters by the chief executive or his appointed representative.
- (12) Once the deliberations are concluded the panel's decision is formally announced to interested parties.
- (13) The chairman will advise the objector of rights of appeal, as follows:

If any person is aggrieved by a local authority's confirmation of a Tree Preservation Order, they may, within 6 weeks of that confirmation, apply to the high court under section 288 of the Town and Country Planning Act 1990, for an order quashing or (where applicable) suspending the order, either in whole or in part. The grounds upon which such an application may be made are that the order is not within the powers of that Act or that any relevant requirements have not been complied with in relation to that order.

STATEMENT OF CASE

Tree Preservation Order (TPO 2017 No.21)

Address: 47 - 53 Silk Mill Road, Hellesdon, Norwich, Norfolk, NR6 6SJ

BACKGROUND TO THE MAKING OF TPO (2017 No.21)

The Tree Preservation Order was made on 9 October 2017 after the Council considered that a group of Silver Birch trees were at risk of being removed or inappropriately lopped. The nine Birches form a linear group that are within the rear gardens of the new build properties recently completed by the builders Lovells, following the granting of Planning Permission No.20141134.

The Council decided to make the above TPO in order to protect G1 a group of mature Silver Birch trees, which are considered to have significant visual amenity, for the reasons stated within the Regulation 5 Notice shown below:

The Council has made the order to safeguard the significant visual amenity and biodiversity value offered by the group of Silver Birch, to the immediate area and the wider environment.

THE CASE FOR MAKING TPO (2017 No.21)

Taking the above points into consideration, please note the following:

How do the trees, the subject of this report, make a significant contribution to the local environment?

The Silver Birch trees are good examples of the species; providing an attractive boundary feature to the new houses, softening the development due to their visibility on the skyline and their natural graceful; weeping habit. They provide significant visual amenity value to the site due, to their size, form and attractive bark; having been part of the existing landscape and setting of the location for many decades.

Is there a reason to fear that any of the trees may be dangerous?

No evidence has been provided to establish the trees are in a poor structural condition and that they would be considered dangerous. The trees lower crowns have been sympathetically lifted and the longer lateral branches reduced back from the properties by an Arborist employed by the developers, and after consultation with the Councils Conservation Officer (Arboriculture & Landscape).

What is the expected lifespan of the trees, barring unforeseen circumstances?

The Silver Birch has a life span of around seventy years. These particular trees would be considered mature specimen with a useful remaining life span of at least twenty years, barring unforeseen circumstances.

Do the trees, in their present locations, show signs of causing a nuisance in the future which is unacceptable or impractical?

Whilst the trees are located within the rear gardens of the new properties, their retention was always considered as a part of the development and the overshadowing they cause would be considered minor and not unacceptable or impractical.

How do the trees contribute to the biodiversity of the immediate area and/or offer a habitat for wildlife?

Silver Birch trees provide habitat for over three hundred species of insects and also provide a food source for birds from the finch family. It is a species native to the British Isles and an important component of the UK's biodiversity.

OBJECTIONS AND SUPPORT TO THE MAKING OF THE TPO AND TREE OFFICER'S RESPONSE:

The Council has received one formal objection to **TPO (2017 No.21)** which was made by Mr. Ross Pantry and Miss Rachel Cole the owners of 53 Silk Mill Road, Hellesdon, Norwich.

Tree Officer Responses to these objections are:

Objections of Mr Ross Pantry and Miss Rachel Cole

'These two trees tower more than a small amount over our house. When standing in bedroom number 3 we can actually see these branches out of our skylight'

Having visited the location and inspected the trees, whilst they are undoubtedly visible from the windows of the property and there is some encroachment of branches towards the rear of the building, with the trees extending some metres above the height of the property, I could see no signs that trees branches are structurally compromised and are a risk to the fabric of the building.

The Health & Safety Executive states the level of risk from falling trees and branches as 1 in 10,000,000 and well within the 'Broadly Acceptable Region' which is generally regarded as insignificant.

Remedial works to shorten the longest lateral branches which are growing towards the rear of the dwelling to lessen the encroachment would be a straight forward procedure that wouldn't be considered impractical to undertake.

‘Although we do still receive minimal light in our garden the two Silver Birch trees are preventing us from receiving the maximum sunlight possible due to the height and broadness of the two trees’

The Silver Birch is a species of tree which is widely recognised for only producing ‘dappled shade’ due to the tree’s small leaves. This leaf characteristic allows other plants and grasses to grow beneath it.

No.53 Silk Mill Road will receive some overshadowing from the trees whilst they are in leaf between April and October. Although this would not be considered excessive with the majority of the shade patterns being orientated to the north and east of the site. From November to March when there are lower levels of sunlight and reduced daylight hours the trees are not in leaf being a deciduous species.

CONCLUSION

The trees identified within the Provisional Tree Preservation Order (PTPO) add significantly to both the biodiversity and visual amenity value of the local area.

The trees are not considered to be in an unsafe condition at this time.

I do not believe the trees will cause an increase in nuisance which would be considered unreasonable or impractical to abate in the future.

This PTPO has been implemented and served in a just and appropriate manner. Therefore, I request that the Order is confirmed as it stands.

Considerations may also be made that not all of the trees are worthy of protection therefore a resolution is met to modify the Order, only protecting some of them.

The Appeals Panel Members may consider none of the trees are worthy of protection and decided not to confirm order at all.

Mark Symonds
Conservation Officer (Arboriculture & Landscape)

Appendix

- THE CASE FOR MAKING A TREE PRESERVATION ORDER (TPO)
 - Within Chapter 8, Part VIII, Special Controls, Chapter I under Sections 197, 198 & 201 of the Town and Country Planning Act 1990 the Council has powers to protect and plant trees where it appears 'expedient in the interest of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order'.
 - 'Amenity' is not defined in law, so authorities need to exercise judgement when deciding whether it is within their powers to make an order.
 - However, in March of 2014 the Department for Communities and Local Government (DCLG) issued a guide to all LPAs on TPOs entitled – Tree Preservation Orders and trees in conservation areas. This guide indicates that:
- A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interest of amenity.
- An order can be used to protect individual trees, trees within an area, groups of trees or whole woodlands. Protected trees can be of any size or species.
- Local Planning Authorities (LPAs) should be able to show that a reasonable degree of public benefit in the present or future would accrue before TPOs are made or confirmed. The trees, or at least part of them, should normally be visible from a public place such as a road or footpath.
- The risk of felling need not necessarily be imminent before an Order is made. Trees may be considered at risk generally from development pressures or changes in property ownership, even intentions to fell are not often known in advance, therefore precautionary Orders may be considered to be expedient.
- The guidance also indicates that LPAs are advised to develop ways of assessing the 'amenity value' of trees in a structured way, taking into account the following criteria:
 - Visibility
 - Individual & collective impact
 - Wider impact
 - Other Factors

- Size and form;
 - Future potential as an amenity;
 - Rarity, cultural or historic value;
 - Contribution to, and relationship with, the landscape; and
 - Contribution to the character or appearance of a Conservation Area.
- Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change.
 - The guidance further indicates that it is important to establish a consistent approach, therefore the following points are considered before recommending a TPO:
 - Does the tree that is the subject of this report make a significant contribution to the local environment?
 - Is there a reason to fear that any of the trees may be dangerous?
 - Can the trees be expected to live for longer than ten years, barring unforeseen circumstances?
 - Do the trees in their present locations show signs of causing a nuisance in the future which is unacceptable or impractical?
 - Do the trees contribute to the biodiversity of the immediate area and/or offer a habitat for wildlife?

Thorpe Lodge,
1 Yarmouth Road,
Norwich
NR7 0DU

16th October 2017

Dear Mark,

RE: 53 Silk Mill Road, Norwich, NR6 6SJ

Please accept this letter as our formal objection to the TPO on the two silver birch trees in the garden of plot 33, 53 Silk Mill Road, Norwich, NR6 6SJ.

Our reasoning for this objection is that these two trees tower more than a small amount over our house. When standing in bedroom number 3 we can actually see these branches out of our skylight.

Although we do still receive minimal light in our garden the two silver birch trees are preventing us from receiving the maximum sunlight possible due to the height and broadness of the two trees.

We believe the above two reasons to be unacceptable and inconsiderate to us as the owners of this land.

Kind Regards
Mr Ross Pantry and Miss Rachel Cole

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING ACT (Tree Preservation) (England) Regulations 2012

The Broadland District Tree Preservation Order 2017 (No. 22)
Broadland District Council

To: Owner/Occupier, 53 Silk Mill Road (Plot 33), Hellesdon, Norfolk, NR6 6SJ.

THIS IS A FORMAL NOTICE to let you know that on 9th October 2017 the Council made the above tree preservation order.

A copy of the order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule and shown on the map without the Council's consent.

Some explanatory guidance on tree preservation orders is given in the enclosed leaflet, *Protected Trees: A Guide to Tree Preservation Procedures*, produced by the Department of Transport, Local Government and the Regions.

The Council has made the order so as to safeguard the significant visual amenity and biodiversity value offered by the trees to the immediate area and the wider environment.

The Order took effect, on a provisional basis, on 9th October 2017. It will continue in force on this basis for a maximum of 6 months or until the order is confirmed by the Council, whichever first occurs.

The Council will consider whether the order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the order have a right to make objections or other representations (*including your support*) about any of the trees, groups of trees or woodlands covered by the order.

If you would like to make any objections or other comments, please make sure we receive them in writing by 7th November 2017. Your comments must comply with regulation 6 of the Town and Country Planning Act (Tree Preservation) (England) Regulations 2012, a copy of which is provided overleaf. Send your comments to Mr P Courtier (Head of Planning) at the address given below. All valid objections or representations are carefully considered before a decision on whether to confirm an order is made. Any comments you make will be available for public inspection. Therefore please be advised that any letter received could not be treated in confidence.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact Mark Symonds at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU. Telephone (01603) 430452.

Dated this 9th day of October 2017.

Mr P Courtier
Head of Planning

**COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING ACT
(Tree Preservation) (England) REGULATIONS 2012**

Objections and representations

6(1) Subject to paragraph (2), objections and representations –

- (a) shall be made in writing and –
 - (i) delivered to the authority not later than the date specified by them under regulation 3(2)(c); or
 - (ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;
- (b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made; and
- (c) in the case of an objection, shall state the reasons for the objection.

6(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

Ask for: Mark Symonds
Direct Dial: (01603) 430452
Email: Mark.Symonds@broadland.gov.uk
Our ref: TPO 2017 No. 21 (1279)
Date: 9th October 2017

Owner/Occupier
53 Silk Mill Road (Plot 33)
Hellesdon
Norfolk
NR6 6SJ

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear Sir/Madam,

Town and Country Planning Act, 1990
Town and Country Planning (Tree Preservation) (England) Regulations 2012
The Broadland District Tree Preservation Order 2017 (No. 21)
On trees at 47-53 Silk Mill Road, Hellesdon, NR6 6SJ

The Council, as Local Planning Authority, has decided that it is expedient in the interests of amenity to ensure the preservation of certain trees on land of which you are the owner and/or occupier.

It is deemed necessary to serve a Preservation Order to cover trees as set out in the First Schedule and Map of the attached Order, to ensure their protection.

The trees in question have been made the subject of a Tree Preservation Order under Section 198 of the Town and Country Planning Act, 1990. A copy of the Order is enclosed, together with a formal Notice of its making.

The Order is of immediate effect. You have the right to object or endorse the Council's actions in protecting trees within your Parish. Particulars are given in the formal Notice.

Yours sincerely

Mr P Courtier
Head of Planning



TOWN AND COUNTRY PLANNING (Tree Preservation) (England) REGULATIONS 2012

Town and Country Planning Act 1990 The Broadland District Council Tree Preservation Order 2017 (No.21)

The Broadland District Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the Broadland District Tree Preservation Order 2017 (No.21)

Interpretation

2. (1) In this Order “the authority” means the Broadland District Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 9th day of October 2017.

The Common Seal of the Broadland District Council
was affixed to this Order in the presence of—

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation
-------------------------	--------------------	------------------

NONE	NONE	NONE
------	------	------

Trees specified by reference to an area
(within a dotted black line on the map)

Reference on map	Description	Situation
-------------------------	--------------------	------------------

NONE	NONE	NONE
------	------	------

Groups of trees
(within a broken black line on the map)

Reference on map	Description (including number of trees in group)	Situation
-------------------------	---	------------------

G1	9 Silver Birch	TG 1845 1973
----	----------------	--------------

Woodlands
(within a continuous black line on the map)

Reference on map	Description	Situation
-------------------------	--------------------	------------------

NONE	NONE	NONE
------	------	------

BROADLAND DISTRICT Tree Preservation Order

2017 No.21

Key

Group



G1 - 9 Silver Birch (SB)

Twin Stem (TS)



Scale as shown



Thorpe Lodge, 1 Yarmouth Road

Thorpe St Andrew, Norwich, NR7 0DU.

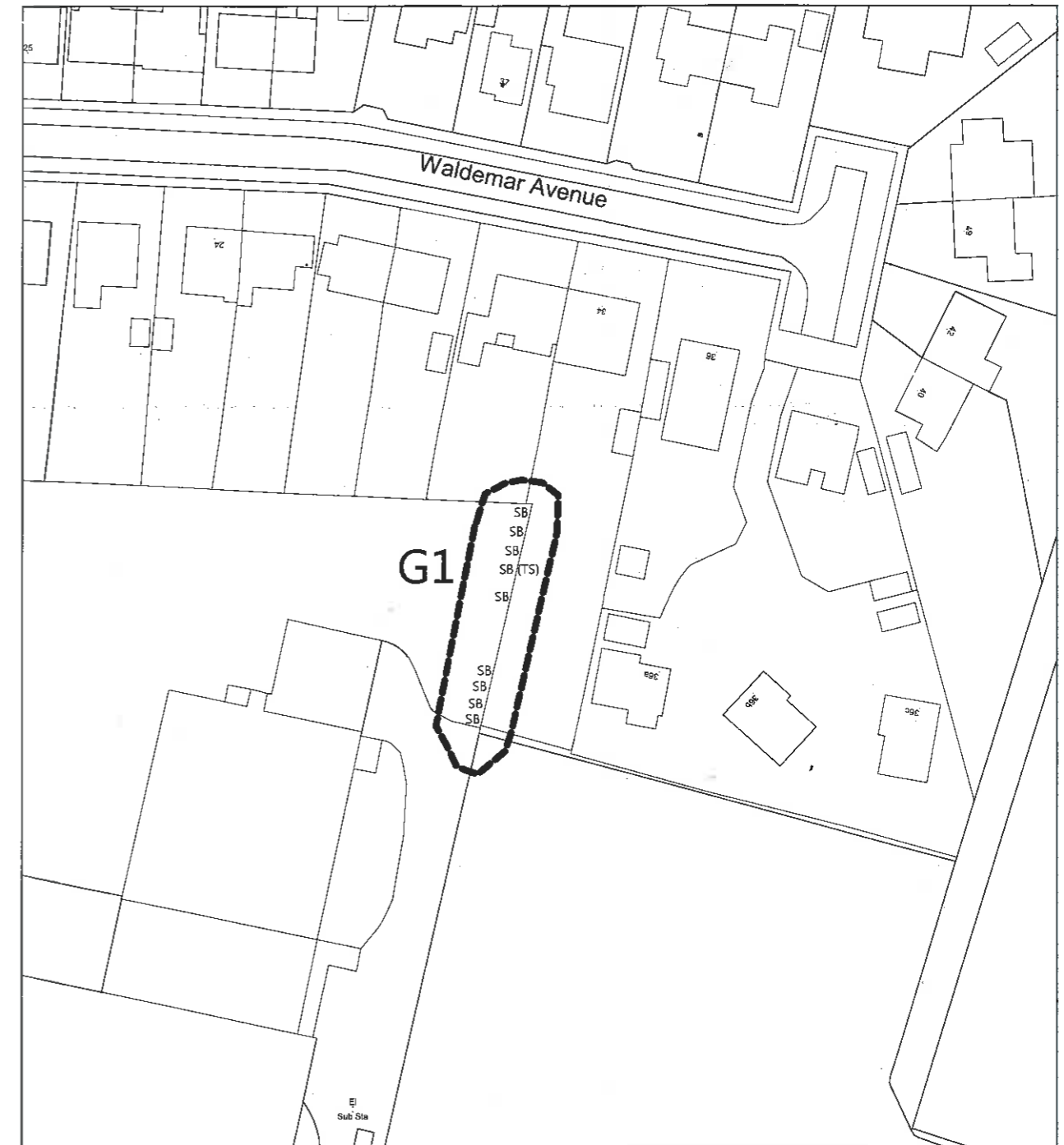
Tel (01603) 431133

E-mail conservation@broadland.gov.uk

Tree Preservation Order

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Hellesdon



Tree Preservation Order 2017 No. 21

47-53 Silk Mill Road, Norwich, NR6 6SJ

Scale 1:1000

Head of Democratic Services and
Monitoring Officer

STATEMENT OF CASE

Tree Preservation Order (TPO 2017 No.22)

Address: Longacre, Howlett's Loke, Salhouse Norwich, Norfolk, NR13 6EX.

BACKGROUND TO THE MAKING OF TPO (2017 No.22)

The Tree Preservation Order was made on the 24 October 2017 after the Council considered that some individual and groups of trees were at risk of being removed. The trees are located on land west of Howlett's Loke.

A planning application had been received to build a dwelling on the land adjacent to the property known as Longacre. The owners of Longacre had approached the County Council's Highways Development Management Officer regarding creating a new access and this would have required the removal of some of the existing trees. The Council's Planning Officer notified the Conservation Officer (Arboriculture & Landscape) that some significant trees within the site were at risk of removal.

The Council decided to make the above TPO in order to protect G1 a group of mature Silver Birch trees and T1 Beech and T2 Oak, which are considered to have significant visual amenity, for the reasons stated within the Regulation 5 Notice shown below:

The Council has made the order to safeguard the significant visual amenity and biodiversity value offered by the trees, to the immediate area and the wider environment.

The trees to be considered in respect of the objections received are the Silver Birch trees within G1. The Order was made using the details from the Tree Survey provided for the planning application. Eight Silver Birch were shown in the survey and these were listed on the Provisional TPO. It was later raised by the owner of the building plot that only six of the original Silver Birch remained at the time the order was served.

The Tree Preservation Order protection afforded to T1 Beech and T2 Oak has not been queried and no formal objection has been received relating to these trees.

THE CASE FOR MAKING TPO (2017 No.22)

Taking the above points into consideration, please note the following:

How do the trees, the subject of this report, make a significant contribution to the local environment?

The Silver Birch trees are good examples of the species and will provide an attractive boundary feature between the new dwelling and No.1 Truman Close. They provide significant visual amenity value to the site due, to their size, form and attractive bark and have been part of the existing landscape and setting of the location for many decades.

Is there a reason to fear that any of the trees may be dangerous?

No evidence has been provided to establish the trees are in a poor structural condition and that they would be considered dangerous. They have been classified as 'B' category trees within the Tree Survey undertaken by the landowner's appointed Arboricultural Consultants, with an estimated remaining lifespan of 20 plus years.

What is the expected lifespan of the trees, barring unforeseen circumstances?

The Silver Birch has a life span of around seventy years. These particular trees would be considered mature specimen with a useful remaining life span of at least twenty years, barring unforeseen circumstances.

Do the trees, in their present location, show signs of causing a nuisance in the future which is unacceptable or impractical?

Whilst the trees are located adjacent to the rear garden of No.1 Truman Close and to the south of the proposed dwelling, their retention was always considered as a part of the Longacre development and the overshadowing they caused would be considered minor and not unacceptable or impractical or a reason to remove them.

How do the trees contribute to the biodiversity of the immediate area and/or offer a habitat for wildlife?

Silver Birch trees provide habitat for over three hundred species of insects and also provide a food source for birds from the finch family, it is a species native to the British Isles and an important component of the UK's biodiversity.

OBJECTIONS AND SUPPORT TO THE MAKING OF THE TPO AND TREE OFFICERS RESPONSE:

The Council has received one formal objection to **TPO (2017 No.22)** which was made by Mr. Peter Jefferson the owner of No.2 Truman Close, Salhouse, Norwich.

Tree Officer Responses to these objections are:

Objections of Mr Peter Jefferson

'These trees are plus or minus 45ft and block light to my property (2 Truman Close) during the morning'

Having visited the location and inspected the trees, they are undoubtedly visible from the windows of 2 Truman Close. Although the influence they have on the amount of

direct sunlight reaching this property is questionable as the remaining trees are located some distance (approximately 10m) from the property and the shadow patterns shown annotated on the Tree Constraints Plan (TCP) show the minimal overshadowing effect they cause on the boundary with No.2 Truman Close.

‘They completely block sunlight from the North East side of No.1 Truman Close throughout the day and are only 15ft from the property’

It cannot be disputed that the trees are closer to No.1 Truman Close. However, the Council has received no objections to the making of the TPO from the occupiers of this property.

The Silver Birch is a species of tree which is widely recognised for only producing ‘dappled shade’ due to the trees small leaves. This leaf characteristic allows other plants and grasses to grow beneath it.

No.1 Truman Close will receive some overshadowing from the trees whilst they are in leaf between April and October. Although this would not be considered excessive with the majority of the shade patterns being orientated to the north of the site as shown on the Tree Constraints Plan (TCP).

From November to March when there are lower levels of sunlight and reduced daylight hours; the trees are not in leaf being a deciduous species.

‘The preservation order is inappropriate and doesn’t give regard to those living in close proximity to them, surly it would be better to remove them prior to building on Longacre and replant new trees in a suitable position’

The objector has raised points over concerns he has no legal rights to implement as he isn’t the owner of the trees or the land they are located on; and has no authority to undertake their removal or to plant replacements.

However the Council as the Local Planning Authority does have the legal responsibility to ensure that trees are considered as part of the planning process and that significant trees are protected when granting planning permission.

CONCLUSION

The trees identified within the Provisional Tree Preservation Order (PTPO) add significantly to both the biodiversity and visual amenity value of the local area.

The trees are not considered to be in an unsafe condition at this time.

I do not believe the trees will cause an increase in nuisance which would be considered unreasonable or impractical to abate in the future.

This PTPO has been implemented and served in a just and appropriate manner. Therefore, I request that the Order is confirmed as it stands. **(Note the order will have to be modified before confirmation to correct the number of remaining Silver Birch trees within G1)**

Considerations may also be made that not all of the remaining Birch trees are worthy of protection therefore a resolution is met to modify the Order, only protecting some of the remaining trees.

The Appeals Panel Members may consider none of the trees are worthy of protection and decided not to confirm order at all.

Mark Symonds
Conservation Officer (Arboriculture & Landscape)

Appendix

- THE CASE FOR MAKING A TREE PRESERVATION ORDER (TPO)
 - Within Chapter 8, Part VIII, Special Controls, Chapter I under Sections 197, 198 & 201 of the Town and Country Planning Act 1990 the Council has powers to protect and plant trees where it appears 'expedient in the interest of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order'.
 - 'Amenity' is not defined in law, so authorities need to exercise judgement when deciding whether it is within their powers to make an order.
 - However, in March of 2014 the Department for Communities and Local Government (DCLG) issued a guide to all LPAs on TPOs entitled – Tree Preservation Orders and trees in conservation areas. This guide indicates that:
- A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interest of amenity.
- An order can be used to protect individual trees, trees within an area, groups of trees or whole woodlands. Protected trees can be of any size or species.
- Local Planning Authorities (LPAs) should be able to show that a reasonable degree of public benefit in the present or future would accrue before TPOs are made or confirmed. The trees, or at least part of them, should normally be visible from a public place such as a road or footpath.
- The risk of felling need not necessarily be imminent before an Order is made. Trees may be considered at risk generally from development pressures or changes in property ownership, even intentions to fell are not often known in advance, therefore precautionary Orders may be considered to be expedient.
- The guidance also indicates that LPAs are advised to develop ways of assessing the 'amenity value' of trees in a structured way, taking into account the following criteria:
 - Visibility
 - Individual & collective impact
 - Wider impact
 - Other Factors
 - Size and form;

- Future potential as an amenity;
 - Rarity, cultural or historic value;
 - Contribution to, and relationship with, the landscape; and
 - Contribution to the character or appearance of a Conservation Area.
- Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change.
 - The guidance further indicates that it is important to establish a consistent approach, therefore the following points are considered before recommending a TPO:
 - Does the tree that is the subject of this report make a significant contribution to the local environment?
 - Is there a reason to fear that any of the trees may be dangerous?
 - Can the trees be expected to live for longer than ten years, barring unforeseen circumstances?
 - Do the trees in their present locations show signs of causing a nuisance in the future which is unacceptable or impractical?
 - Do the trees contribute to the biodiversity of the immediate area and/or offer a habitat for wildlife?

To: Owner/Occupier,
2 Truman Close,
Salhouse,
Norfolk,
NR13 6EU.

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear Sir/Madam

Town and Country Planning Act, 1990
Town and Country Planning (Tree Preservation) (England) Regulations 2012
The Broadland District Tree Preservation Order 2017 No.22

Section 197 of the Town and Country Planning Act places an express duty on the Local Planning Authority when granting planning permission to ensure whenever appropriate that adequate conditions are imposed to secure the preservation or planting of trees and that any necessary Tree Preservation Orders are made under section 198 of the Act.

The Council, as Local Planning Authority, has decided that it is expedient in the interests of amenity to ensure the preservation of certain trees on land of which you are the owner and/or occupier, or an owner and/or occupier of adjoining land on which the trees stand.

It is deemed necessary to serve a Preservation Order to cover trees as set out in the First Schedule and Map of the attached Order, to ensure their protection and continued integration into any future site development proposals.

The long-term protection of trees should be secured by Tree Preservation Orders rather than condition, following government advice in Circular 11/95. Therefore a copy of the Order is enclosed, together with a formal Notice of its making.

The Order is of immediate effect. You have the right to object or endorse the Council's actions in protecting trees within your Parish. Particulars are given in the formal Notice.

Yours sincerely

Mr P Courtier
Head of Planning

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING ACT (Tree Preservation) (England) Regulations 2012

The Broadland District Tree Preservation Order 2017 (No. 22)
Broadland District Council

To: Owner/Occupier, 2 Truman Close, Salhouse, Norfolk, NR13 6EU.

THIS IS A FORMAL NOTICE to let you know that on 25th October 2017 the Council made the above tree preservation order.

A copy of the order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule and shown on the map without the Council's consent.

Some explanatory guidance on tree preservation orders is given in the enclosed leaflet, *Protected Trees: A Guide to Tree Preservation Procedures*, produced by the Department of Transport, Local Government and the Regions.

The Council has made the order so as to safeguard the significant visual amenity and biodiversity value offered by the trees to the immediate area and the wider environment.

The Order took effect, on a provisional basis, on 25th October 2017. It will continue in force on this basis for a maximum of 6 months or until the order is confirmed by the Council, whichever first occurs.

The Council will consider whether the order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the order have a right to make objections or other representations (*including your support*) about any of the trees, groups of trees or woodlands covered by the order.

If you would like to make any objections or other comments, please make sure we receive them in writing by 24th November 2017. Your comments must comply with regulation 6 of the Town and Country Planning Act (Tree Preservation) (England) Regulations 2012, a copy of which is provided overleaf. Send your comments to Mr P Courtier (Head of Planning) at the address given below. All valid objections or representations are carefully considered before a decision on whether to confirm an order is made. Any comments you make will be available for public inspection. Therefore please be advised that any letter received could not be treated in confidence.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact Mark Symonds at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU. Telephone (01603) 430452.

Dated this 25th day of October 2017.

Mr P Courtier
Head of Planning

**COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING ACT
(Tree Preservation) (England) REGULATIONS 2012**

Objections and representations

6(1) Subject to paragraph (2), objections and representations –

- (a) shall be made in writing and –
 - (i) delivered to the authority not later than the date specified by them under regulation 3(2)(c); or
 - (ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;
- (b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made; and
- (c) in the case of an objection, shall state the reasons for the objection.

6(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected



TOWN AND COUNTRY PLANNING (Tree Preservation) (England) REGULATIONS 2012

Town and Country Planning Act 1990 The Broadland District Council Tree Preservation Order 2017 (No.22)

The Broadland District Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the Broadland District Tree Preservation Order 2017 (No.22)

Interpretation

2. (1) In this Order “the authority” means the Broadland District Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 25th day of October 2017

The Common Seal of the Broadland District Council
was affixed to this Order in the presence of—

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation
T1	Beech	TG 29501 13828
T2	Oak	TG 29492 13839

Trees specified by reference to an area
(within a dotted black line on the map)

Reference on map	Description	Situation
NONE	NONE	NONE

Groups of trees
(within a broken black line on the map)

Reference on map	Description (including number of trees in group)	Situation
G1	8 Silver Birch	TG 29406 13854

Woodlands
(within a continuous black line on the map)

Reference on map	Description	Situation
NONE	NONE	NONE

BROADLAND DISTRICT

Tree Preservation Order

2017 No.22

Key

Individual Trees
T1 Beech
T2 Oak



Group G1
8 Silver Birch (SB)



Scale as shown



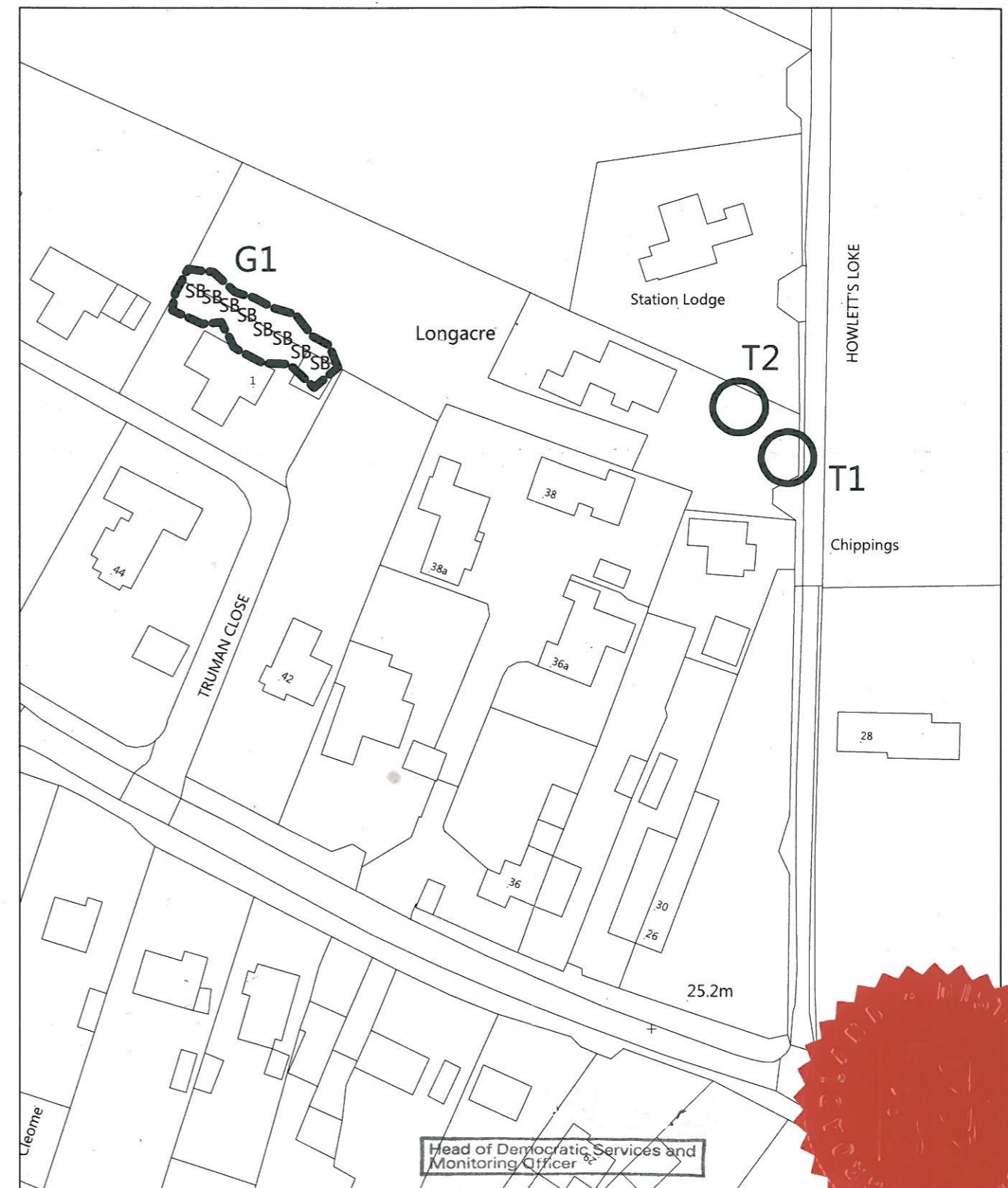
Thorpe Lodge, 1 Yarmouth Road
Thorpe St Andrew, Norwich, NR7 0DU.
Tel (01603) 431133
E-mail conservation@broadland.gov.uk

Tree Preservation Order

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Salhouse

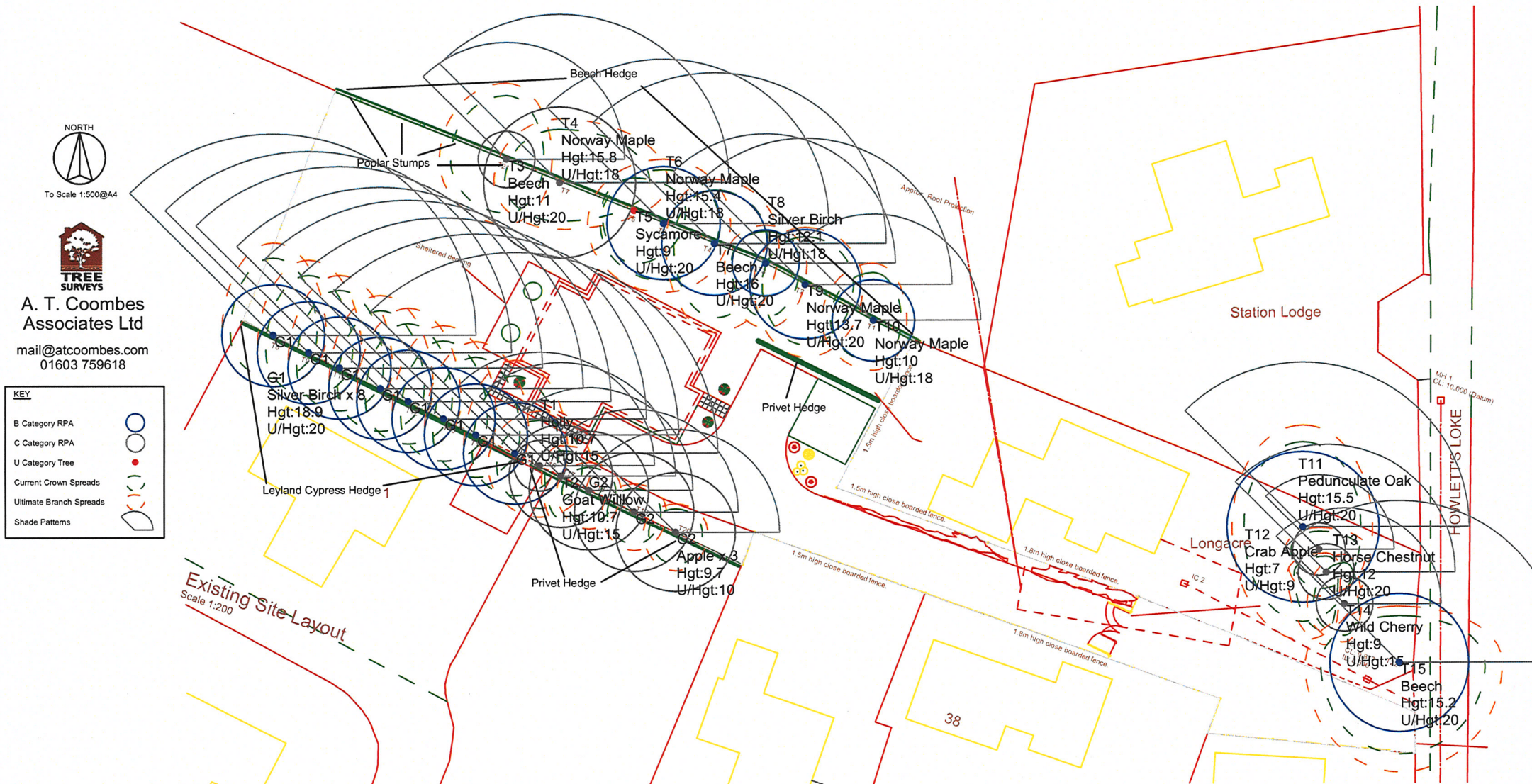


Tree Preservation Order 2017 No. 22

Longacre, Howlett's Loke, Salhouse, NR13 6EX.

Scale 1:1000

38



From: PETER JEFFERSON ..,
Sent: 02 November 2017 18:52
To: Conservation
Subject: Objection to Tree Preservation Order 2017 (No. 22)

Dear Sir/Madam,

I am writing to object to the preservation order on the Silver Birch at Longacre Salhouse. These trees are \pm 45ft and block light to my property (2 Truman Close) during the morning. They completely block sunlight from the North East side of No 1 Truman Close throughout the day and are only 15ft from the property.

The preservation order is inappropriate and doesn't give regard to those living in close proximity to them, surely it would be better to remove them prior to building on Longacre and replant new trees in suitable position.

Yours Sincerely,

Peter Jefferson

2 Truman Close,
Salhouse,
NR13 6EU