

Parish:	Bagthorpe with Barmer and Barwick	
Purpose of report:	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00525 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
Location:	Hyde Close Bircham Newton Norfolk	
Site owner/occupier:	Jark Resourcing Plc	
Case No:	2/TPO/00525	
Grid Ref:	579178 333882	Date of service of Order: 9 June 2015

RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION
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THE SITE

It should be noted that T1 (Wellingtonia) has not received any objections and does not need to be considered.

The 2 groups (G1 & G2 Pine) are growing at the entrance to Hyde Close, Bircham Newton, where it meets Bagthorpe Road creating an attractive avenue into Hyde Close and enhances the setting of this part of Bircham Newton.

LDF CORE STRATEGY POLICIES

C12 - Environmental Assets

REASON FOR MAKING THE TREE PRESERVATION ORDER

I was contacted by members of the Hyde Close (Bircham Newton) Management Company LTD with their concerns of a potential planning application that could have a detrimental effect on the trees included in this TPO.

OUTLINE OF OBJECTIONS AND REPRESENTATIONS

One letter of objection was received on the 8th July 2015 from a resident of Hyde Close, Bircham Newton. His reasons for objection are set out below:

1. The two areas above [G1 & G2] are pine trees and provide no significant interest or value to the area. They are a common species that have no character and in their current state are dangerous and beyond their useful life.

2. They are too close to a roadway and have already started to break up the roadway with their root growth which will only get worse causing a health & safety issue with uneven surfaces. Had they been adjacent to a highway where costs are met by a borough or county council then they may have been more sympathetic but all of the cost of maintaining these roads and trees are the owner's responsibility who live in the close.
3. Two trees have been removed as they were dangerous and it is only a matter of time before the next ones require removing.
4. The trees have got to a height where they have been responsible for damage to the roof of our property causing the tiles to fail prematurely through the poor management of these trees.

RESPONSE TO OBJECTIONS AND REPRESENTATIONS

1. Whilst the trees are a common species (Scots Pine), they are the only coniferous trees along this stretch of road and during the autumn/winter months, they will provide a much needed green boost in these months when the broadleaf trees have lost their leaves. That said, they also form an attractive avenue at the entrance to Hyde Close and frame the Wellingtonia (T1 of this TPO) perfectly. When these trees were last inspected they appeared to be in fine health.
2. Whilst the trees are close to both the private driveway and the highway, this is not unusual. Trees have been, and still are, planted in these verges all over the country. The roadway is starting to lift in places but simple engineering solutions can be employed so that both the trees and the private drive can co-exist into the future. The request to the put the TPO on the trees came from the Hyde Close (Bircham Newton) Management Company LTD and the repair/upkeep of the roadway has not previously been mentioned.
3. Whilst it is recognised that two trees have been removed in recent years for health & safety reasons, it should not be assumed that all of the trees in the group are dangerous, as previously mentioned, on the last inspection; the trees appeared to be in fine health.
4. Living in close proximity to mature trees I think it's reasonable to expect leaves/twigs/sticks/cones/needles to come from them, this is part of the tree's natural process; no evidence of damage has been supplied. The Hyde Close (Bircham Newton) Management Company LTD are responsible for the management of these trees.

CONCLUSIONS

In conclusion these trees contribute to the character and appearance of the street scene and the wider area, both now and, more importantly, in the autumn/winter months. It is considered that the reasons put forward by the appellant in seeking its removal are of insufficient weight to overcome the harm to the character and appearance of the area that would occur should they be removed. It is therefore recommended that the order be confirmed.

Background Papers

TPO file reference: 2/TPO/00525

King's Lynn and West Norfolk Local Plan (1998) (saved policies)

Appendix 1: TEMPO Assessment

Contact Officer: Mr R. Fisher, Arboricultural Officer 01553 616386

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 12/8/15 Surveyor: R. FISHER - ARBORICULTURAL OFFICER BCKLWN

Tree details
TPO Ref (if applicable): 2/10/100525 Tree/Group No: 91 Species: S. PINE
Owner (if known): Location: HYDE CLOSE, BIRCHAM NEWTON

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair/satisfactory | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes - SOME MINOR DEAD WOOD
3

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes
2

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes - CLEARLY
4+ SEEN FROM
PUBLIC HIGHWAY

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | |
|--|
| 5) Principal components of formal arboricultural features, or veteran trees |
| 4) Tree groups, or principal members of groups important for their cohesion |
| 3) Trees with identifiable historic, commemorative or habitat importance |
| 2) Trees of particularly good form, especially if rare or unusual |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) |
| -1) Trees with poor form or which are generally unsuitable for their location |

Score & Notes - FORMS AN
4 ATTRACTIVE AVENUE WITH
G2

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | |
|---|
| 5) Immediate threat to tree inc. s.211 Notice |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree |
| 1) Precautionary only |

Score & Notes - THE POSSIBILITY OF
2 DEVELOPMENT + ACCESS ROUTE

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

15

Decision:

* SERVE
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 12/8/15 Surveyor: R. FISHER - ARBORICULTURAL OFFICER BCKLWN

Tree details

TPO Ref (if applicable): 2/TPO/00525 Tree/Group No: 62 Species: S. PINE
Owner (if known): Location: HYDE CLOSE, BIRCHAM NEWTON

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

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|--------------------------|-------------------------|
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Score & Notes - FORMS AN ATTRACTIVE
Ht AVENUE WITH G1

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

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|---|
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2 DEVELOPMENT - ACCESS
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Add Scores for Total:

15

Decision:

✓ SERVE TPO