

AGENDA ITEM NO: 8/3(j)

Parish:	King's Lynn	
Purpose of report:	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00569 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
Location:	4 & 5 Cedar Row Wootton Road King's Lynn Norfolk PE30 3BA	
Site owner/occupier:		
Case No:	2/TPO/00569	
Grid Ref:	563850 321487	Date of service of Order: 24 November 2017

RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION

THE SITE

The two Copper Beech trees (T1 & T2) are growing in the front gardens of numbers 4 & 5 Cedar Row, Wootton Road, King's Lynn. Both trees are highly visible from both north & south along Wootton Road.

REASON FOR MAKING THE TREE PRESERVATION ORDER

Following an appeal against a refusal of an application for tree works in 2017, the original of the previous TPO could not be found and, as the trees are of high amenity value it was considered to be prudent to serve a new, up to date TPO, to ensure that these trees were protected now and into the future. The Planning Inspectorate have suspended the appeal pending the outcome of the Committee decision to confirm or not the new Order. Should the Order be confirmed, then the appeal will continue. If the Order is not confirmed, then the trees can be removed.

OUTLINE OF OBJECTIONS AND REPRESENTATIONS

One objection letter was received from the owner/occupier of 4 Cedar Row, Wootton Road, King's Lynn. A summary of the objections are outlined below:

1. If the order is confirmed then this infringes the owner's human rights to protect their property, and does not respect their private and family life.
2. The tree is close to the property and overhangs the road.
3. The tree blocks light from the living room making it cold and depressing.
4. The tree has no amenity value.

RESPONSE TO OBJECTIONS AND REPRESENTATIONS

1. I am unsure as to how the confirmation of this TPO will infringe on human rights, as light levels can be improved via sensitive tree works.
2. Both of these factors should not prevent the confirmation of this TPO, and the location of these trees is not unusual. It is considered that sensitive works to the trees would help reduce the impact upon the property.
3. As above; raising the crown and thinning it will allow light to pass both below, and through, the canopy – this can be dealt with via a tree work application in the usual manner.
4. As previously mentioned, both of these trees are highly visible in the area and considered to add greatly to the street scene. They are considered to have a high amenity value. The amenity scoring assessment can be found at appendix 2 at the end of this report.

CONCLUSIONS

In conclusion, these trees are considered to contribute greatly to the character and appearance of the street scene and the wider landscape, both now, and into the future. It is considered that the reasons put forward by the objector are of insufficient weight to overcome the harm caused to the character and appearance of the locale that would occur should these trees be removed. It is therefore recommended that the Order is confirmed. If the Order is confirmed then the appeal previously lodged would continue.

RECOMMENDATION: CONFIRM ORDER WITHOUT MODIFICATION

Background Papers

TPO file reference: 2/TPO/00569

Appendix 1: Copy of scoring assessment

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