

Parish:	Upwell	
Purpose of report:	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00586 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
Location:	Orchard Gardens Upwell Norfolk	
Case No:	2/TPO/00586	
Grid Ref:	550215 302586	Date of service of Order: 23 January 2019

RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION
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THE SITE

The Walnut (T1) is situated to the rear of 25-26 St Peters Road, Upwell. This tree is visible from St Peters Road and, more importantly, as the tree matures it will continue to contribute to the wider landscape within Upwell conservation area.

LDF CORE STRATEGY POLICIES

C12 - Environmental Assets

REASON FOR MAKING THE TREE PRESERVATION ORDER

Following a planning application, numbered 19/00016/RM, that identified the tree for removal; it was thought prudent to serve a TPO to protect the tree both now and into the future.

OUTLINE OF OBJECTIONS AND REPRESENTATIONS

One objection letter was received from Mrs G Buck, owner/occupier of the neighbouring property, 23 St Peters Road, Upwell. A summary of the objections are outlined below:

1. Half of the tree is not in the property it belongs to and it hangs directly over the garage causing a lot of work with regard to clearing leaves/twigs during the autumn/winter.
2. Worried about branches breaking and potentially causing damage to the garage or the car.
3. The tree should not invade airspace above part of the property.

Two letters of support were received outlining the host of wildlife that use the tree, it will mature into a well seen tree within the village and the drainage advantages associated with trees.

RESPONSE TO OBJECTIONS AND REPRESENTATIONS

1. Open grown trees, such as this, will naturally over-sail boundaries/rooflines and leaf/twig/fruit fall should be expected when living next to trees such as this. Sympathetic pruning will reduce this over-sailing and can be dealt with in the usual manner.
2. It is difficult to predict any episodes of branch failure in healthy trees such as this and this should not be a consideration in this instance.
3. Sympathetic reduction work would reduce this perceived invasion of airspace, as before, this can be dealt with in the usual manner.

CONCLUSIONS

In conclusion, this tree contributes greatly to the character and appearance of the street scene, the wider landscape and the Upwell conservation area, 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 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.

RECOMMENDATION: CONFIRM ORDER WITHOUT MODIFICATION

Background Papers

TPO file reference: 2/TPO/00586

Appendix 1: Copy of scoring assessment

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