

AGENDA ITEM NO: 8/3(b)

Parish:	Burnham Market	
Purpose of report:	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00591 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
Location:	Land West of The Gate House Dunellen Station Road Burnham Market Norfolk PE31 8HA	
Case No:	2/TPO/00591	
Grid Ref:	583310 342014	Date of service of Order: 9 April 2019

RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION

THE SITE

The three groups (G1, G2 & G3) and the individual tree (T1) are growing within the open space and car parking area associated with The Maltings, Station Road, Burnham Market and provide a great visual amenity to the surrounding area and also provide an excellent habitat for the local wildlife.

LDF CORE STRATEGY POLICIES

C12 - Environmental Assets

REASON FOR MAKING THE TREE PRESERVATION ORDER

We were contacted by concerned residents regarding the possible removal of some of the Silver Birch and, following a site visit, it was found that these trees are of a high amenity value, not only for the immediate residents of The Maltings, but the wider area in general.

OUTLINE OF OBJECTIONS AND REPRESENTATIONS

One letter of objection has been received from the management company formed to manage the area and a further letter of objection endorsing the management company's objection has been received. Their objections were as follows:

1. The entire area falls within the Conservation Area for Burnham Market and the trees are already protected.
2. We believe that the serving of the order is unfair and unwarranted as we [the management company] have carried out necessary works in the past with permission.

3. No trees would be removed without the majority vote of all members of the management company.
4. They are only self-set Silver Birch.

One letter of support has been received from a resident of The Maltings stating that the trees are an integral part of the setting and they host a wide variety of wildlife, they also mention that some of the residents have mentioned tree removals in the past for light issues.

RESPONSE TO OBJECTIONS AND REPRESENTATIONS

1. Whilst The Maltings does fall within the Conservation Area and the trees do have some form of protection, the serving of a TPO further protects these trees into the future but also ensures that, should any trees be removed, they will be replaced and remain protected.
2. The serving of a TPO is not about fairness, it is about the protection of high amenity trees for the wider landscape and residents.
3. It is difficult predict the outcome of outside meetings, and leaving it to the management company would give the Local Planning Authority no control.
4. All trees can be the subject of a TPO regardless of species, size or if they're 'self-set', TPOs are served on the basis of visual amenity.

CONCLUSIONS

In conclusion, these trees contribute greatly to the character and appearance of the street scene and the 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.

Background Papers

RECOMMENDATION: CONFIRM ORDER WITHOUT MODIFICATION

Background Papers

TPO file reference: 2/TPO/00591

Appendix 1: Copy of scoring assessment

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