

BRECKLAND COUNCIL

APPEALS SUB-COMMITTEE – 11th July 2007

REPORT OF THE OPERATIONS MANAGER – ENVIRONMENTAL SERVICES
(Author: Richard Fisher, Tree Preservation Order Review Officer)

OBJECTION TO THE MAKING OF TREE PRESERVATION ORDER 2007 NO.12
TERRA FIRMA, 8 RICHMOND ROAD, SAHAM TONEY

Summary: Tree Preservation Order 2007 No.17 was served on one individual tree at Terra Firma, Richmond Road, Saham Toney on 13th April 2007. An objection to the order has been received which must be considered by this committee. The order will expire on 13th November 2007 unless it is confirmed before that date.

1. INTRODUCTION/BACKGROUND

- 1.1 Tree Preservation Order (TPO) 2007 No.12 was served on Mr Smith, Terra Firma, Richmond Road, Saham Toney in respect of 1 individual tree, to the west of Terra Firma, on the 30th March 2007 under section 198 of the Town and Country Planning Act 1990 on the grounds that the tree has significant amenity value, that it was under threat of felling by the owners and it was deemed expedient in the interests of amenity to protect it. (Appendix A).
- 1.2 An objection to the making of Tree Preservation Order 2007 No.12 was made by Mr R K Smith and was received on the 24th April 2007. (Appendix B). Further representations were received on June 12th, 2007.

2. KEY DECISION

- 2.1 This is not a key decision

3. COUNCIL PRIORITIES

- 3.1 The matter raised in this report falls within the following Council priorities:
 - A well planned place to live which encourages vibrant communities

4. REASONS FOR MAKING TREE PRESERVATION ORDER 2007 No.12

- 4.1 Terra Firma is on the western edge of Saham Toney, standing in approximately 0.4 Ha. An aerial photograph of the area is attached at Appendix C.
- 4.2 It was reported, by several members of the public, in late March 2007 that Mr Smith intended to fell the Oak tree T1 on the western boundary. The tree is clearly visible from Richmond Road, one of the main roads into the village from the West.
- 4.3 During a site visit to Terra Firma the condition of the tree was investigated and it was found that the tree is in a satisfactory condition and it has a safe useful life expectancy of more than 20 years.
- 4.4 Terra Firma stands in approximately 0.4 Ha, to the south of the property there is a large area of land that could, quite conceivably, be developed should the settlement boundary be moved under the new LDF process. By protecting this tree it would indicate the Council's strong desire for its retention.

5. OPTIONS AVAILABLE

- 5.1 To confirm Tree Preservation Order 2007 No.12
- 5.2 Not to confirm Tree Preservation Order 2007 No.12

6. REASONS FOR RECOMMENDATION(S)

- 6.1 The council has a statutory duty to have regard to the conservation of biodiversity and to protect important amenity trees. The Oak tree forms an important part of the overall street scene.

7. RECOMMENDATION(S)

- 7.1 That Breckland Council confirm Tree Preservation Order 2007 No.12

There are no issues arising in relation to:

- Equal Opportunities,
- Section 17, Crime & Disorder Act 1998, and
- Human Rights Act 1998
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This report does have relevance to:

- Section 40, Natural Environment and Rural Communities Act 2006

Appendices:

A: Copy of the TPO Map & Schedule

B: Letter of objection to the TPO

C: Aerial photographs of the area and pictures of the tree.