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## BRECKLAND COUNCIL

### At a Meeting of the

### APPEALS COMMITTEE

Held on Wednesday, 16 September 2009 at 10.00 am in  
Norfolk Room, The Conference Suite, Elizabeth House, Dereham

#### PRESENT

Mr P.S. Francis (Chairman)                      Mrs L.H. Monument  
Mrs J. Ball    Mr I. Sherwood (Vice-Chairman)  
Mr R.W. Duffield

#### In Attendance

Gilbert Addison                                      - Tree & Countryside Officer  
Sheila Cresswell                                    - Member Services Officer  
Michael Horn                                         - Legal Services Manager

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#### **25/09 MINUTES (AGENDA ITEM 1)**

Application to renew a Hackney Carriage/Private Hire Driver's Licence  
(Minute No. 24/09)

It was noted that the wording of the Resolution should be changed in order to specify that it was a "Hackney Carriage/Private Hire" driving licence which was being suspended for a month.

#### Minutes

Subject to this amendment, the Minutes of the meeting held on 17 June 2009 were confirmed as a correct record and signed by the Chairman.

#### **26/09 APOLOGIES (AGENDA ITEM 2)**

Apologies for absence were received from Mr M. Fanthorpe.

#### **27/09 OBJECTION TO THE MAKING OF TREE PRESERVATION ORDER 2009 NO. 24 (AGENDA ITEM 7)**

The Hearing was held in the absence of the objectors. Mr Mike Horn was in attendance as the Council's solicitor.

The Tree and Countryside Officer presented the report, explaining that it concerned two silver birch trees which stood within the Conservation Area for Hoe, as well as within the boundaries of a County Wildlife site.

An objection to the TPO had been received from the adjacent land owners, who were concerned about overhanging branches and shading. They also believed that debris from trees had broken a Velux roof window, and that there was the potential for further damage.

The Tree and Countryside Officer confirmed that on 1 June 2009 the Council had received notification concerning "the removal of overhanging branches" under Section 211 of the Town & Country Planning Act.

As a result of this, he had personally visited the site. In his opinion, it was clear that the pruning which had already been done was unsatisfactory, not

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least because it had left one of the trees unbalanced. Having completed the formal assessment process, the Tree Preservation Order had therefore been made as a means of ensuring that any future pruning would meet acceptable standards.

He felt that, provided that the trees received the appropriate pruning and control, concerns about health and safety, and possible future property damage, should be minimal.

The Committee then considered the letter of objection, dated 3 July 2009, which had been received by the Council.

When asked if there was any evidence of dead, diseased or damaged wood on either tree, the Tree and Countryside Officer said that he had visited the site the day before and had seen “nothing untoward”. As a general statement, he confirmed that silver birches did not tend to shed large pieces: their fibrous wood meant that if there was damage, limbs tended to hang, rather than actually get detached.

The Tree and Countryside Officer said that the smaller of the trees was known to be 25 years old, as the owner had planted it. The larger, being about twice the size, was likely to be about 50 years old, with a possible future lifespan of at least 30 years. He considered them to be fine and vigorous trees.

**RESOLVED** that Tree Preservation Order 2009, No. 24 be confirmed.

The meeting closed at 10.20 am

CHAIRMAN