

BRECKLAND COUNCIL - PLANNING COMMITTEE – 1st September 2020

REF NO: TPO 2020 no.1	RECOMMENDATION: Confirm Order
LOCATION: Beavers Lodge, East Church St. Kenninghall	CASE OFFICER Hugh Coggles
APPLICANT: Mr and Mrs Rushforth	APPNTYPE: N/A
PROPOSAL: Not to confirm the order and allow the trees to be felled	POLICY:
	ALLOCATION: N
	CONSAREA: Y
	LB GRADE: N
	TPO: Y

1. REASON FOR COMMITTEE CONSIDERATION

1.1 Formal Objection to serving of TPO 2020 No.1

2. KEY ISSUES

- 2.1 The trees drop lots of cones and needles
- 2.2 The trees block light

3. SITE AND LOCATION

3.1 Beavers Lodge, East Church Street, Kenninghall

4. EIA REQUIRED

4.1 No

5. RELEVANT SITE HISTORY

- 5.1 House purchased by current owners October 2019.
- 5.2 February 26th 2020 section 211 notice received for the felling of two Scots Pine
- 5.3 6th March 2020, site visit undertaken by Hugh Coggles (HC). Tree Evaluation Method for Preservation Orders (TEMPO) assessment undertaken by HC. A score of 18 was recorded. Recommendation for any score of 16+ is that the tree definitely warrants a Tree Preservation Order (TPO).
- 5.4 11th March 2020, confirmation given by the council to proceed with serving a TPO
- 5.5 16th March 2020 TPO served

6. POLICY CONSIDERATIONS

- 6.1 The following policies of the adopted Breckland Local Plan have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate.

ENV 06 Trees, Hedgerows and Development
NPPF Section 15

7. CONSULTATIONS

Parish Council – PC support the removal of the trees.

Ward Representative - No comments received

8. REPRESENTATIONS

- 8.1 A letter of objection dated 24th March was received from Mr and Mrs Rushforth objecting to the TPO.
- 8.2 An email was received from the parish council on the 12th June supporting the objection to the TPO (this was beyond the 28 days allowed for formal objections)

9. ASSESSMENT

- 9.1 17th October the Tree Officer visited the site to view the trees and undertake a Tree Evaluation Method for Preservation Orders (TEMPO) assessment. Both trees achieved a score of 18, these scores are within the range – definitely merits TPO. The assessment was undertaken from outside the site boundary.
- 9.2 Key points raised by Mr and Mrs Rushforth in their objection
- **The trees shed lots of cones and needles**
 - **The trees block light**
 - **We would possibly have not bought the house if known that the trees would have been protected by a TPO.**
- 9.3 Key points raised by Parish Council in support of the objection
- **The trees dominate the house and neighbouring property (blocking light) and are close to the road. There have been incidents of branches falling on parked cars.**

10. CONCLUSION

- 10.1 The Local Planning Authority would like to make it clear that the Tree Preservation Order is intended to maintain the amenity afforded to the public by trees and recognises that reasonable pruning, and sometimes felling, with consent is often necessary to achieve long term sustainability of trees. The TPO should therefore be seen as a requirement for consultation rather than a blanket prohibition.
- 10.2 The order does not prevent the owners from using a contractor of their choice. It does enable the Council to have some control over the work which is undertaken and the powers to condition that work is completed to a high standard and in accordance with current best practice.

11. RECOMMENDATION

11.1 Confirm the order.

