

NNDC (SHERINGHAM) 2022 No. 7 - Land at Sheringham Hooks Hill
TPO/22/0996

To consider whether to confirm a Tree Preservation Order (TPO) to protect a mixed species woodland at the above site.

BACKGROUND

The woodland is an established area of trees that is situated to the southwest of Sheringham. It is a mixed species woodland that joins with the natural area of Franklin Hill public space and further protected woodland to the south TPO/15/0895.

The topography of the hill offers a scenic view point out towards the sea, across the town and towards Beeston bump. The aerial photographs taken around the 1940's show the area wooded, it is likely that the land has been natural in character historically as the steep slopes make for tricky cultivation or habitation.

The site is adjacent to a series of planning applications. These include a new dwelling to the west of the original house (PF/21/0947) and the demolition of the original house replacing with two further dwellings along Hooks Hill Road (PF/21/3078). These applications have been approved with tree protection measures in place to protect retained trees in the woodland area to the south.

The further application that initiated the TPO (PF/22/2387) has been withdrawn, with preliminary siting of a further dwelling illustrated within the woodland area.

The Order will establish the status of the woodland and will connect this area with the wider landscape. It will afford the trees formal protected status securing their future in the landscape.

REPRESENTATIONS

Objections to the Order: One letter has been received objecting to the Order.

Support of the Order: None

Summary of Objections	Officer response
The trees are not at risk of being removed and the owners have been careful to consider the trees as part of the applications relating to the land	<i>It's fair to say professional arboricultural advice has been sought throughout the planning process and trees have not been felled pre-emptively.</i>
The Woodland category is incorrect	<p><i>The reports submitted as part of the previous planning applications describe the area as woodland.</i></p> <p><i>The woodland category should be used where individual, or groups could not accurately describe the area. Area TPO's are not recommended to be served for long term protection as the Order only protects trees present at the time the Order is served.</i></p> <p><i>The woodland category is consistent with the woodland category TPO/15/0895 that connects this area with Franklin Hill and the DEFRA woodland inventory.</i></p>
The map of the TPO shows overlap with the approved planning permission.	<i>The map area does overlap a previous approved application, thank you for drawing our attention to this administrative error. I have recommended the Order is modified to accommodate the approved plans.</i>
Could a site meeting negotiate adjustments to the application to make proposals acceptable?	<i>A meeting was held on site and an alternative positioning of the proposals were discussed, the proposals would still require tree removal, there would remain ongoing concerns about trees close to proposals, coupled with technically difficult access and service provision problems.</i>

HUMAN RIGHTS IMPLICATIONS

It is considered that the serving of the Order may raise issues relevant to Article 8: The right to respect for private and family life, and

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's human rights, and the general interest of the public, it is anticipated that the confirmation of this Order would be proportionate, justified and in accordance with planning law

MAIN ISSUES FOR CONSIDERATION

- 1. Whether or not the Order was served correctly in accordance with the relevant legislation and the Council's adopted policy.**

Officers are satisfied that the proper procedures were followed when serving the Order.

- 2. Whether or not the Order has been served on trees of sufficient amenity value to warrant a Preservation Order.**

Officers consider that the woodland makes a significant contribution to the quality of the local environment and its enjoyment by the wider public and that therefore has high amenity value.

RECOMMENDATION:-

That the Order be confirmed with modification.

Officer: Imogen Mole - Senior Landscape Officer