

NNDC (FAKENHAM) 2023 No. 15 – Wells Road, Fakenham TPO/23/1016

To consider whether to confirm a Tree Preservation Order (TPO) to protect a group of 9 mature pine trees at the above site.

BACKGROUND

A resident raised concerns with Officers that the avenue of mature Corsican pine trees may be under threat of removal, the group of nine trees was assessed and evaluated as a significant feature of the local area and a prominent feature of Wells Road.

The trees are part of a much older landscape, planning records show Harp Close being established in the 1970's and the trees date from this time. Their size and maturity contribute positively to the local landscape and biodiversity value of the area.

REPRESENTATIONS

Objections to the Order: Four letters have been received objecting to the Order.
Support for the Order: None

Summary of Objections	Officer response
<p>The trees have a high relative exposure with a height estimated as 23 m and therefore, could suffer wind damage.</p> <p>The pine trees in question sway heavily in the wind, raising the risk of branches falling.</p> <p>I am deeply worried about the possibility of these trees falling in the opposite direction, towards the main road. This could lead to severe consequences, including damage to vehicles and, more importantly, endangering the lives of individuals passing by</p>	<p><i>I agree, the trees are relatively exposed, but I disagree this is a cause for concern. The trees have always experienced this level of exposure and will have adapted over time to their environmental stresses.</i></p> <p><i>There was no new exposure or changes in the local environment that would cause concern.</i></p> <p><i>There were no indicators to suggest the trees are at risk of failing at the time of the inspection.</i></p>
<p>They are in close proximity to property</p> <p>I am concerned about safety, trees falling could damage my property</p> <p>At some point in the future could fall causing damage to people and properties</p>	<p><i>The trees are close to property; however they are part of a much older landscape and the new dwelling have been built close to them.</i></p> <p><i>Reasonable tree management including some pruning works could reduce the risk. Specification on the work has been discussed and set out.</i></p>
<p>At some point in the past there has been a change in levels that will have almost certainly involved root severance which could lead to instability</p>	<p><i>I am confident the landscaping works around the base of the trees has not resulted in a significant number of severed roots. Having inspected all the trees along the avenue it is evident the trees are established at a higher level on a banked boundary feature.</i></p>

<p>The trees have heavy branches with extended lever arms growing over the busy Wells Road and my client's garden. These branches are susceptible to breakage and damage in storm conditions.</p>	<p><i>Some work could be appropriate, any future work will need to be set out in a submitted tree work application.</i></p> <p><i>Work may include reducing the end weight of extended limbs by 1-2m to appropriate growth points. To reduce the overall height of the trees to suitable growth points by 2 – 3m. We also looked at removing some of the low hanging branches over the garden.</i></p>
<p>Retention of these trees will cause potential long-term problems and risks to both the owner and the public as they begin to decline.</p>	<p><i>The issue of long-term problems and risk was raised, though there were no issues identified at the time of the site visit, the condition of trees can change and it's important to be able to react to any changes and plan future management requirements.</i></p> <p><i>The Order will not prevent appropriate management of the trees.</i></p>
<p>The trees are not indigenous to Norfolk and would not normally occur in Fakenham.</p> <p>these trees make a very little contribution to biodiversity</p>	<p><i>The Corsican pine trees do have a number of benefits to wildlife, birds in particular are attracted to the seeds present in the cones.</i></p> <p><i>The trees provide shelter and form a robust green corridor along Wells Road.</i></p>
<p>My opinion is that the trees are unattractive and unsightly</p>	<p><i>Opinion noted.</i></p>

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 group of pine trees at Wells Road, Fakenham make a significant positive contribution to the quality of the local environment and its enjoyment by the wider public and that therefore the trees have high amenity value.

RECOMMENDATION:-

That the Order be confirmed with modification.

Officer: Imogen Mole - Senior Landscape Officer