

NNDC TPO (HOLT) 2025 No.13 – Cley-next-the-sea TPO 25 1076 - Land At Lime Tree House, High Street, Cley-next-the-sea, Holt, Norfolk, NR25 7RG

Ref No. TPO/25/1076.

Officer: **Imogen Mole (Senior Landscape Officer)**

PURPOSE OF REFERRAL TO COMMITTEE - To consider whether to confirm a Tree Preservation Order (TPO) to protect 1 Lime tree at the above site.

BACKGROUND

The **Large-leafed Lime tree (*Tilia platyphyllos* 'Rubra')** is a mature specimen in good physiological and structural condition. It was planted in the '70's and has established into a highly prominent and focal point of the street scene in Cley, which is located within the conservation area.

The species supports a diverse range of wildlife by providing food and habitat. Its leaves feed moth caterpillars, and the flowers offer nectar and pollen for invertebrates. Aphids on the leaves are a food source for predators like ladybirds, hoverflies, and birds.

Unauthorised tree work was carried out at the property; the work removed the lower portion of the canopy and the canopy overhanging the neighbouring property. The work resulted in some damage to the tree with stubs and tears being left.

When it was pointed out the work required a S211 notice, the works stopped, and notice was given retrospectively (TW/25/0710).

As part of the following enforcement action, it was considered appropriate to serve a Tree Preservation Order.

REPRESENTATIONS

We have received 1 representation in support of the Order and 1 objection to the Order

The full supporting comment and assessment is included in **Appendix A and B**;

The tree is an important part of the streetscene, has a long safe useful life, is culturally significant to a local family and contributes positively to amenity of the area. The tree meets the criteria for an Order to be confirmed.

The main objections are:

- The tree is already protected because it is within the conservation area.
- The trees has become too big and unmanaged.

- The tree requires regular maintenance, the Order limits this and could lead to risk of damage.

APPRAISAL

In response to the comments made in support:

The comments made in support of the Order are in accordance with the appraisal made by NNDC officers.

In response to the objections the following comments are made:

The lime tree is prominent part of the streetscene of High Street, Cley and contributes positively to the amenity of the area.

An Order does not prevent appropriate management work taking place including work to minimise any risk to property.

The application for tree work in a Conservation Area and tree work to a protected tree is the same application. It is free and most reputable tree surgeons can do this on your behalf.

The Order raises the status of the tree and sets out clearly the tree is important and needs to be maintained correctly.

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 lime tree makes a positive contribution to the quality of the local environment and its enjoyment by the wider public and that therefore should be retained.

RECOMMENDATION:-

That the Order be confirmed.