

Report to Planning applications committee

Item

11 January 2018

Report of Head of planning services

4(f)

Subject Tree Preservation Order [TPO], 2017. City of Norwich Number 530; Petrol Filling Station, Plumstead Road, Norwich, NR1 4JT

Reason for referral Representations for, and objections to, confirmation of Tree Preservation Order 530

Ward:	Crome
Case officer	Mark Dunthorne, arboricultural officer markdunthorne@norwich.gov.uk

Proposal		
To confirm Tree Preservation Order 2017, City of Norwich Number 530, Petrol Filling Station, Plumstead Rd, Norwich, NR1 4JT without modifications.		
Representations		
Object	Comment	Support
1 individual, 1 group	0	2

Main issues:	Key considerations:
1 Amenity	Impact on street scene. Level of amenity for residents of/visitors to, this area on Plumstead Road
2 Climate change	Trees increase resilience to climate change
3 Air quality	Trees improve air quality
4 Biodiversity & wildlife	Trees aid biodiversity and wildlife
TPO Expiry date	24 April 2018
Recommendation	Confirm TPO 530 without modifications

Introduction

1. This order was served in response to a planning application to develop the site, which threatened the removal of numerous mature trees.
2. The location of the trees is shown on the attached plan.
3. Tree Preservation Order No 530 was served on the 24 October 2017.

The site, surroundings and content

4. The TPO consists of three groups of trees and one individual tree, located in the grounds of the BP filling station. Species include oak, Norway maple, cherry, silver birch, rowan, tree of heaven, and sycamore.
5. The council's arboricultural officer visited the site and assessed the trees using the nationally recognised Tree Evaluation Method for Preservation Orders (TEMPO). The assessment has the following classifications:

TEMPO score:	TEMPO Decision guide
0 - 11	Does not merit a TPO
12 -15	TPO defensible
16 - 25	Definitely merits TPO

6. The assessment resulted in a score of 18 for the trees, indicating that they definitely merited a Tree Preservation Order. City of Norwich, no. 530 Tree Preservation Order, 2017: Petrol Filling Station, Plumstead Rd, NR1 4JT was served on 24 October 2017.
7. Tree Preservation Order No 530 is provisionally in effect from 24 October 2017, until the 24 April 2018, 6 months from the date on which it was served.
8. During this period the council gives consideration as to whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any trees covered by the Order. The Council received one individual objection, an objection from the Valley Side Rd/Lloyd Rd Residents Association, and two statements of support.
9. The council's standing orders require that when an objection to an Order is received, a report must be presented to planning committee before the Order is confirmed.
10. Notice of the new Order (along with a letter of explanation) was served on the owner of the property, on the neighbouring properties, and on interested parties.

Representations

11. Full details of the representations are available on request.

12. The two statements of support highlight the visual amenity value of the trees, the privacy they afford, and their aesthetic appeal. They also focus on the screening effect the trees have on the properties, against the unsightly backdrop of the filling station, as well as the trees effect on lessening the impact of light pollution from the filling station.

13. The statements of support also emphasize the trees importance as a habitat for wildlife, and recognises the natural 'baffle' the trees provide against the noise from the forecourt.

14. The issues set out in the objection, and the responses from the arboricultural officer are summarised below:

Representation	Response
The trees are dangerous, are in a poor state, out of control.	Not the opinion of the officer. No major defects were identified at the time of my site visit, and the trees form and condition gives me no cause for concern. (Responsibility for the trees health, and safety, lies with the trees owners, BP)
The trees have not developed properly, roots being restricted/ shallow rooting.	All trees have relatively shallow root systems. Roots being opportunistic, growing where conditions are favourable. The development of the trees is natural, and gives me no cause for concern.
Falling leaves.	A natural occurrence, not confirming the TPO because of this would be an unbalanced response to a common situation. Requests for street cleaning can be made via Norwich City Council website.
The trees are the wrong variety, being deciduous; their screening effect is lessened during the autumn and winter.	Screening is diminished during this period, agreed, but felling and replanting with evergreen specimens would result in several years of no screening at all, until the replacement trees reached maturity. Once mature, an evergreen screen is also less beneficial in terms of wildlife, aesthetic interest, and amenity value.
Drains in Valley Side Rd are in a poor condition, being badly affected by the leaves.	Street cleaning can partially address this issue, and blocked drains and gullies can be reported to NCC (Anglia Water for sewers), but the poor condition of the drains is not considered an acceptable reason for not confirming this order.

Main issues

Issue 1

15. The threat to, and potential loss of, mature, healthy trees, which are in good condition and highly visible to residents and visitors of area. TPO status will help to ensure their future retention for the benefit of the vicinity.

Issue 2

16. The potential loss of these trees would also contribute to the impacts of climate change. Through photosynthesis trees naturally absorb CO₂ a key greenhouse gas and act as a carbon sink by sequestering it. Also, by a combination of reflecting sunlight, providing shade and evaporating water through transpiration trees moderate the local microclimate and temperature.

Issue 3

17. The trees have a positive effect on air quality by cutting levels of airborne particulates and removing air pollutants.

Issue 4

18. The trees enhance biodiversity by providing habitats for a variety of species, thereby contributing to providing a healthy food chain that is of benefit to birds and mammals.

Conclusion

19. The objections to the Order have been taken note of, and whilst officers appreciate the concerns raised, it is their opinion that the trees should be protected to ensure future retention. They make a positive contribution to the amenity of the area, and have sufficient value to validate their continued protection by confirming the Tree Preservation Order.

Recommendation

20. To confirm Tree Preservation Order [TPO], 2017. City of Norwich Number 530; Petrol Filling Station, Plumstead Rd, NR1 4JT, without modifications.