

1. **TPO No :** **BD0596**  
**Parish :** **Drayton**

Address Land East of School Road, Drayton.

Reason for reporting to committee

Objections received for issuing of provisional TPO BD0596

Recommendation summary:

It is recommended that the Panel consider the representations received and determine whether to confirm the Order with modifications or not to confirm the Order.

1 Purpose of the report

- 1.1 Authorities can confirm Tree Preservation Orders (TPOs), either with or without modifications, to provide long term tree protection. However, we cannot confirm an Order unless we have first considered any duly made objections or other representations.
- 1.2 The purpose of this report is to consider the objections and other representations which have been made in respect of the provisional TPO.

2. Background

- 2.1 T1 to T36 are located within or near to a ditch running alongside School Road. The Provisional Tree Preservation Order protects the young treeline which is comprised of the following species: Oak, Pine, Birch, and Walnut.
- 2.2 School Road connects Drayton village to Reepham road. The ditch which contains the tree line runs alongside the Northern end of the road for approximately 415m. There is a new development taking place Southeast of the tree line and a proposed footpath to be installed on the field side of the ditch which will run up to Reepham Road.
- 2.3 The PTPO was requested on the 2<sup>nd</sup> January 2023 by a local arboricultural consultant.
- 2.4 Following receipt of the TPO suggestion the Council decided to make a provisional area TPO to include all trees within the tree line. This was with a view to protect the line of young trees in the interest of future potential as an amenity.

- 2.5 The 'Area' Order designation was used only as a temporary measure and while the Order is still provisional, following a site visit undertaken by the Councils Assistant Conservation and Tree Officer, the trees have been plotted and scheduled as individuals.
- 2.6 The case for making the TPO is set out in **appendix 1**.
- 2.7 The criteria used to determine the making of the Order is set out at **appendix 2**.
- 2.8 Objections to the Order are attached at **appendix 3**.
- 2.9 Copy of the Order/notice/letter to interested parties set out at **appendix 4**.
- 2.10 Copy of the draft Modified Order attached at **appendix 5**.

3. Relevant planning history

20200640	Erection of 267 Dwellings with associated vehicular access, landscaping, open space, car parking and pedestrian links	Approval with conditions
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Appeal History

- 4 Not applicable

## 5. Consultations

Comments received	Response
<p><b>1. Part of the provisional TPO contains no trees at all.</b></p>	<p><b>When the provisional area TPO was served there were areas of the land which contained no trees. Now the council have plotted the trees more accurately this is not the case as shown in the modified draft order - appendix 6</b></p>
<p><b>2. The remaining trees are all self-sown and are of no quality or merit.</b></p>	<p><b>I do not disagree the trees are self-sown; but this makes no difference in the decision-making process behind the issuing of the provisional TPO. The quality of the young trees would be considered good for this stage of their life, as a group they are showing very few defects and a good vitality. The trees will not be showing their full potential of amenity value yet, but even at this stage they still add to the verdant setting of School Lane. Their quality and merit towards wildlife habitat is already of great value and will be providing shelter and food to variety of small mammals, birds, and insects.</b></p>
<p><b>3. New TPO is within the area which has approved planning.</b></p>	<p><b>It has been noted that the area adjacent to the tree line has been marked for a new footpath, although the trees fall outside of the boundary for the development. There is no reason the proposed path and the tree line cannot coexist. The trees all fall within or in line with the drainage ditch running alongside the roadway. The proposed construction method of the 1.8m wide compacted hoggin footpath would have very little, if any effect on the trees. The age and size of the trees would also mean that the path would not encroach into the root protection area (RPA) of the trees.</b></p>
<p><b>4. Removal of the trees would not have a demonstrable impact.</b></p>	<p><b>Considering the length and height of the intermittent tree line I disagree that the removal would 'not have a demonstrable impact on the local environment'.</b></p>
<p><b>5. Works to carry out to trees to facilitate footpath.</b></p>	<p><b>Having visited the site, I see no reason why any trees would need to be removed</b></p>

	<p><b>to facilitate the installation of the footpath. There is adequate access around the trees to gain access for installation, and the footpath is being constructed far enough away from the base of the trees to have minimal impact on their health. The TPO does not rule out any future works, it just adds a level of protection by providing the need for tree works application to be submitted to the Council.</b></p>
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6. Town / Parish Council

*No objection/support recieved*

7. District Councillor

*Phone call of Support*

8 Other Representations

Not applicable

9 Assessment

9.1 See Appendix 1

## **10 Conclusion**

10.1 The trees identified as T1 to T36 within the draft modified TPO contribute to both the visual amenity and biodiversity of School Road, Drayton. In my opinion the value of these trees is amplified by the new developments within the area. Additionally due to the varied species and form of the trees they also provide valuable habitat, shelter, and food source for local wildlife. This will greatly increase over the years if the trees are allowed to mature.

### **Recommendation:**

It is recommended that the Order is confirmed with the modifications shown within the draft order provided.

Contact Officer	Ben Appleby
Telephone Number	01508 533937
E-mail	ben.appleby@southnorfolkandbroadland

## **Appendix 1. – Case for making TPO BD0596**

### **Does the tree that is the subject of this report make a significant contribution to the local environment?**

The group of young, self-sown trees growing on the verge of School Road, Drayton provide a valuable habitat strip for the local environment. As the trees mature, they will also act as a screen to the new development in the area. The trees act as a significant natural barrier along School Road and the removal of them would have a negative and noticeable impact on the local area.

### **Is there a reason to fear that the tree may be dangerous?**

No, at the present time there are no safety concerns that have been identified. Neither has there been any evidence submitted stating otherwise.

### **Can the tree be expected to live for longer than ten years, barring unforeseen circumstances?**

Yes. Young trees with a long-life expectancy remaining. The treeline is predominantly early mature Oaks which will have a potential life span of 300+ years. The Birch, Pine and Walnut will be less but will still likely see a minimum of 100+ years.

### **Does the tree in its present location show signs of causing a nuisance in the future which is unacceptable or impractical?**

No. It is noted that a new path is to be installed alongside the treeline. The proposed construction method of the footpath will have little to no impact on the trees and they will be able to coexist together.

### **Does the tree contribute to the biodiversity of the immediate area and/or offer a habitat for wildlife?**

Yes, the strip of trees provide habitat for many insects, birds, and mammals and will continue to do so well into the future should the trees remain.

## **Appendix 2 - The criteria used to determine the making of the Order.**

- **THE CASE FOR MAKING A TREE PRESERVATION ORDER (TPO)**
- 1. **Within Chapter 8, Part VIII, Special Controls, Chapter I under Sections 197,198 & 201 of the Town and Country Planning Act 1990 the Council has powers to protect and plant trees where it appears 'expedient in the interest of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order'.**
- 2. **'Amenity' is not defined in law, so authorities need to exercise judgement when deciding whether it is within their powers to make an order.**
- 3. **However, in March of 2014 the Department for Communities and Local Government (DCLG) issued a guide to all LPAs on TPOs entitled – Tree Preservation Orders and trees in conservation areas. This guide indicates that:**
  - **A TPO is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interest of amenity.**
  - **An order can be used to protect individual trees, trees within an area, groups of trees or whole woodlands. Protected trees can be of any size or species.**
  - **Local Planning Authorities (LPAs) should be able to show that a reasonable degree of public benefit in the present or future would accrue before TPOs are made or confirmed. The trees, or at least part of them, should normally be visible from a public place such as a road or footpath.**

- The risk of felling need not necessarily be imminent before an Order is made. Trees may be considered at risk generally from development pressures or changes in property ownership, even intentions to fell are not often known in advance, therefore precautionary Orders may be considered to be expedient.
  
- The guidance also indicates that LPAs are advised to develop ways of assessing the 'amenity value' of trees in a structured way, taking into account the following criteria:
  1. Visibility
  2. Individual & collective impact
  3. Wider impact
  4. Other Factors
  5. Size and form.
  6. Future potential as an amenity.
  7. Rarity, cultural or historic value.
  8. Contribution to, and relationship with, the landscape; and
  9. Contribution to the character or appearance of a Conservation Area.
  
- Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change.
  
- The guidance further indicates that it is important to establish a consistent approach, therefore the following points are considered before recommending a TPO:

### **Broadland District Council's Five Criteria to Justify Making a TPO**

1. Do the trees that are subject of this report make a significant contribution to the local environment?
  
2. Is there a reason to fear that the trees may be dangerous?
  
3. Can the trees be expected to live for longer than ten years, barring unforeseen circumstances?



4. Do any of the trees in their present location show signs of causing a nuisance in the future which is unacceptable or impractical?
  
5. Do the trees contribute to the biodiversity of the immediate area and/or offer a habitat for wildlife?

### **Appendix 3 – Letters of objection – Hopkins Homes**

**FAO Ben Appleby  
Broadland & South Norfolk District Council  
The Horizon Centre  
Broadland Business Park  
Peachman Way  
Norwich  
NR7 OWF**

**7<sup>th</sup> July 2023**

**Dear Sir / Madam**

**The Broadland District Council Drayton Tree Preservation Order 2023 No. BD0596 ("T PO")**

**Tree(s) at Land East of School Road, Drayton, Norfolk ("Land")**

**Easting: 617842 Northing: 314925**

**We write in relation to the above T PO, further to a letter from Broadland District Council (Council) dated 30 March 2023, which was sent to Drayton Farms Ltd, the owner of the Land.**

#### **Background**

**We have the benefit of planning permission at Land at Manor Park, Drayton, with reference 20200640 ("Permission") to erect 267 dwellings with associated vehicular access, landscaping, open space, car parking and pedestrian links ("Development").**

**We entered into a section 106 agreement in respect of the Permission dated 12 August 2021 ("Section 106"). Clause 1.3 of Part 3 of Schedule 2 of the Section 106**

provides that not more than 125 dwellings can be occupied in the Development until the School Road Footpath has been delivered in accordance with specified plans. The redline of the T PO overlaps with the School Road Footpath, and we therefore have an interest in whether it is confirmed.

We were not sent the letter dated 30 March 2023 directly, notwithstanding that we are the beneficiary in respect of the Permission. We also note that the deadline to make objections or comments was 27 March 2023, which preceded the date of the letter. In view of these administrative issues, we trust that our below comments will be given due consideration.

### **Representations**

Please take this letter as a formal objection to the confirmation of the TPO on behalf of Hopkins Homes Limited and a representation that the TPO should be revoked (as opposed to simply being allowed to lapse without confirmation).

We are making these representations on the basis that the confirmation of the TPO and/or the failure to revoke the existing T PO would not be in the interests of protecting the amenity of the area. The reasons for this are two-fold. First, the removal of the trees protected by the T PO would not have a demonstrable adverse impact on the local environment and its enjoyment by the public. Second, the confirmation of the TPO would frustrate the delivery of the School Road Footpath and would therefore have an adverse impact on the local environment and its enjoyment by the public, which would directly conflict with the proper purpose of a TPO.

Removal of the trees would not have a demonstrable adverse impact.

We have spoken with our arboricultural advisers in relation to the trees in question. Our advisers consider that the age, size, and form of the trees are such that their removal would not have a negative impact on the local environment.

In view of the advice from our arboricultural advisers, we submit that the TPO should be revoked, as the removal of the trees subject to the TPO would not negatively impact the local environment and its enjoyment by the public.

The confirmation of the TPO would frustrate the delivery of the footpath and would consequently have an adverse impact on the local environment.

As mentioned in section 1 above, the redline of the T PO overlaps with a footpath required by the Section 106 called the School Road Footpath (Footpath). Clause 1.3 of Part 3 of Schedule 2 of the Section 106 provides that not more than 125 dwellings can be occupied in the Development until the Footpath has been delivered in accordance with drawing 5162 LD02 Revision (A). We enclose a copy of this plan at Annex 1.

In order to deliver the Footpath in accordance with the approved plan, it will be necessary to carry out works to at least some of the trees that are subject to the TPO. Whilst we note the exception in regulation 14(vii) of The Town and Country Planning (Tree Preservation) (England) Regulations 2012 ("Regulations"), in practice it would be necessary to obtain confirmation from the Council that works in respect the Footpath fall within the exception before those works are carried

out. If the Council does not consider that the works fall within that exception or does not provide consent to carry out works subject to the TPO, the delivery of the Footpath will be frustrated.

This consequence would be unfortunate because the primary reason for requiring the Footpath was to benefit the local environment. Indeed, the Footpath obligation is within the "Green Infrastructure" part of the Section 106. If the Footpath were not properly delivered, or there were delays to its delivery, that would likely result in a negative impact on the local environment. For example, it is probable there would be increased traffic on the roads leading to the Development, and pedestrians might use routes other than the Footpath which are not designed for such use, which could result in increased danger to pedestrians and greater damage to the surrounding local environment, including the trees protected by the TPO. It follows that confirmation of the TPO would have the opposite effect to its designed purpose: it would have a significant adverse impact on the local environment and its use by the public.

In the circumstances, we submit that the TPO should be revoked, so as to prevent the likely negative impacts on the local environment that would follow from its confirmation.

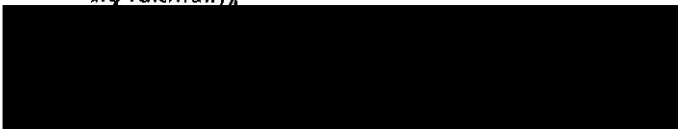
#### Next steps

As set out above, the confirmation of the TPO would lead to consequences that are detrimental to the local environment due to the risk to the delivery of the Footpath. We therefore request that the TPO is revoked to allow for development at the Site to proceed without the risk of undue delay.

So that we are able to carry out works in respect of the Footpath in accordance with our anticipated programme of development, please confirm revocation of the TPO to us within 28 days of the date of this letter.

We look forward to hearing from you within 28 days.

Yours faithfully



Jonathan Lieberman

Head of Planning

## Letters of objection – Drayton Farms Ltd

New TPO Consultation Reply – Reference : BD0596



The Broadland District Council Drayton Tree Preservation Order 2023 No. BD0596

Tree(s) at : Land East Of School Road Drayton Norfolk

The Tree Preservation Order (TPO) is valid from 30 March 2023. However, within six months Broadland District Council must decide whether to make the Order permanent. In order to help make this decision, you are invited to provide comments on whether you support or object to the TPO. If you object you must state your reasons for doing so.

All comments must be received by: 27 April 2023

**Please note:** Any comments that you do provide will be held on file which is available for public inspection. You should therefore ensure that any comments are relevant and not defamatory or offensive, as you will remain personally and legally responsible for them. Your comments may also be published on our website, along with your name and address. If you are concerned about publishing your signature, e-mail address, telephone number or any other personal contact details (other than your name and address which must be available) then send these as a separate attachment so they are not published with the main comments.

Please tick one box only:

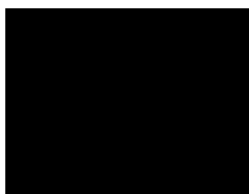
Support       Object (you must explain your reasons)       No comment

Reasons / comments (continue on further sheets if necessary):

AS EVIDENCED BY THE ATTACHED PHOTOGRAPHS TAKEN ON 25<sup>TH</sup> APRIL 2023, PART OF THE TPO AREA CONTAINS NO TREES AT ALL. THE REMAINING TREES ARE ALL SELF SOWN AND OF NO QUALITY OR MERIT. THE NEW TPO AREA ALSO IS WITHIN AN AREA WHICH HAS A CONSENTED PLANNING APPROVAL FOR NEW PATHWAYS WHICH ARE A PLANNING OBLIGATION AS A RESULT OF A LARGER CONSENTED SCHEME. THEREFORE THERE IS ALREADY A CONSENT TO CLEAR PART OF THE AREA FOR THE CONSTRUCTION OF THE PATH BY HOPKINS HOMES LTD.

Print Name:  
NIGEL HANDEY-HAWORTH

Date:  
26.4.23



Please return to:  
Planning  
Broadland District Council  
Thorpe Lodge  
1 Yarmouth Road  
Norwich  
NR7 0DU  
Planning@southnorfolkandbroadland.gov.uk

## Appendix 4 - Copy of the Order/notice/letter to interested parties.



Tel 01508 533780 / 01603 430509  
Planning@southnorfolkandbroadland.gov.uk



Our ref BD0596

30 March 2023

Dear Sir/Madam,

**The Broadland District Council Drayton Tree Preservation Order 2023 No. BD0596**  
**Tree(s) at : Land East Of School Road Drayton Norfolk**  
**Easting : 617842 Northing : 314925**

Broadland District Council has served a new Tree Preservation Order (TPO) to protect tree(s) at the location detailed above. A copy of the TPO, along with a formal Notice that sets out the full reasons for the TPO is enclosed. Should you wish to comment or object to the TPO, details of how to do so are set out on the Notice; you can use the enclosed reply form for your comments.

Please note that any comments that you do provide will be held on file which is available for public inspection. You should therefore ensure that any comments are relevant and not defamatory or offensive, as you will remain personally and legally responsible for them. Your comments may also be published on our website, along with your address. If you are concerned about publishing your signature, e-mail address, telephone number or any other personal contact details (other than your address which must be available) then send these as a separate attachment so they are not published with the main comments.

**Your rights** - Under data protection legislation you have the right to request access to, rectification, restriction, or objection to the processing of your personal data, as detailed on our Data Protection Policy. You can contact our Data Protection Officer at [data.protection@southnorfolkandbroadland.gov.uk](mailto:data.protection@southnorfolkandbroadland.gov.uk). You also have the right to lodge a complaint with the regulator, the Information Commissioner's Office.

Further information is set out on the back of this letter. If you have any other questions or concerns, please do not hesitate to contact us.

Yours faithfully

**Ben Appleby**  
Assistant Conservation & Tree Officer

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Freephone: 0808 168 2000  
Text phone: 01508 533622  
Out of hours service: 01508 533633  
[www.southnorfolkandbroadland.gov.uk](http://www.southnorfolkandbroadland.gov.uk)



## **New TPO (Tree Preservation Order) - Frequently Asked Questions**

### **Why has the TPO been served on me?**

You have been sent this TPO because you are an owner and/or occupier of land on which the tree(s) is/are growing, or that is next to where the tree(s) is/are growing. Alternatively we may have needed to send it to you as you are in some other way formally connected with the site. We need to tell you about the TPO in order you are aware of the legal restrictions that it imposes, also so you can object or make other comments should you wish to do so.

### **The tree(s) is/are on my neighbour's land, so why have I received the TPO?**

We are required to tell you about the TPO as the tree(s) may overhang or grow to overhang your land. If they do, you will be subject to the restrictions that the TPO imposes. It may also be the case that the roots encroach your land; the TPO protects the tree roots in addition to the rest of the tree, so you must take care not to do any damage to these either.

### **I am a tenant of the property, so why have I been contacted?**

Wherever possible we contact both the owner of the property and any other interested parties such as tenants. Sometimes it is not easy to know who these are, so if you think that we have not contacted someone who should be told about the TPO, please let us know. If you are a tenant, please tell us and also let your landlord know that you have been sent this TPO.

### **What if my name and/or other details is/are not correct on the TPO documents?**

Please let us know as soon as possible and we will resolve this. If necessary, we will re-issue the documents and adjust the consultation period if necessary.

### **Who else has been informed about the TPO?**

In addition to the tree owners and their neighbours, we let the relevant Parish/Town Council, District Councillor(s) and the Parish Tree Warden(s) know about the TPO. If the tree is close to the highway, we will also inform Norfolk County Council.

### **Why was the TPO sent by recorded delivery or delivered by hand?**

As the TPO and the Notice are legal documents, we need to be sure that they have been received safely. We endeavour to time the posting of TPOs so that they arrive at residential properties on Saturdays, which is a day that more households will have at least one person at home to receive them, but sometimes this is not possible. We apologise if the need to sign for the TPO caused you any inconvenience.

### **How do I make objections to the TPO, or provide other comments?**

The Notice that accompanies the TPO sets out the date by which comments should be received; it is usually at least one month from the date the TPO is served. We have provided a standard form on which you can make comments, but you are not obliged to use it. In order to be sure that they are considered all comments must be made in writing by the deadline stated. If for any reason you need longer to make comments, please let us know why and we will do our best to help.

### **Must I make comments regarding the TPO?**

No, you do not need to make an objection or other comment if you do not wish to. If you are supportive of the TPO it would be good, though not essential, to know this as well.

### **Who do I contact if I have any other questions not covered by this?**

General information about TPOs can be found via the Planning Practice Guidance website at [planningguidance.planningportal.gov.uk](http://planningguidance.planningportal.gov.uk). If this does not provide the information you require please email the Council at [planning@southnorfolkandbroadland.gov.uk](mailto:planning@southnorfolkandbroadland.gov.uk) or call 01508 533780 / 01603 430509



Drayton/BD0596

## IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

Town and County Planning Act 1990  
Town and Country Planning (Tree Preservation)(England) Regulations 2012  
The Broadland District Council Drayton Tree Preservation Order 2023 No. BD0596

To:

This is a formal Notice to let you know that on 30 March 2023 the Council made the above Tree Preservation Order (TPO). A copy of the Order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the Schedule, and shown on the map, without the Council's consent.

The Council have made the order because - This emerging line of early mature trees has developed into an important wildlife feature growing along the verge. It will also provide an ideal natural screening from the ongoing development to the east of School Road. Having evaluated the trees using Broadland District Council's five point justification, I can confirm these trees are suitable for protection.

The Order took effect, on a provisional basis, on 30 March 2023. It will continue in force on this basis for a further 6 months or until the order is confirmed by the Council, whichever first occurs. The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect permanently. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other comments, please make sure we receive them in writing by 27 March 2023. Your comments must comply with regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, a copy of which is provided overleaf. Send your comments to **Ben Appleby, Assistant Conservation & Tree Officer** at Thorpe Lodge 1 Yarmouth Road Norwich NR7 0DU or by email to [planning@southnorfolkandbroadland.gov.uk](mailto:planning@southnorfolkandbroadland.gov.uk). All valid objections or representations will be carefully considered before a decision on whether to confirm the Order is made; if necessary, the TPO will be considered by a meeting of the Planning Sites Sub-committee. The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this TPO, please contact the Council.

Dated: 30 March 2023

Signed:



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Monitoring Officer

**Regulation 6 of The Town and Country Planning  
(Tree Preservation) (England) Regulations 2012**

**Objections and representations**

6.—(1) Subject to paragraph (2), objections and representations—

(a) shall be made in writing and—

(i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or

(ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and

(c) in the case of an objection, shall state the reasons for the objection.

(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.



New TPO Consultation Reply – Reference : BD0596



The Broadland District Council Drayton Tree Preservation Order 2023 No. BD0596

Tree(s) at : Land East Of School Road Drayton Norfolk

The Tree Preservation Order (TPO) is valid from 30 March 2023. However, within six months Broadland District Council must decide whether to make the Order permanent. In order to help make this decision, you are invited to provide comments on whether you support or object to the TPO. If you object you must state your reasons for doing so.

All comments must be received by: 27 March 2023

**Please note:** Any comments that you do provide will be held on file which is available for public inspection. You should therefore ensure that any comments are relevant and not defamatory or offensive, as you will remain personally and legally responsible for them. Your comments may also be published on our website, along with your name and address. If you are concerned about publishing your signature, e-mail address, telephone number or any other personal contact details (other than your name and address which must be available) then send these as a separate attachment so they are not published with the main comments.

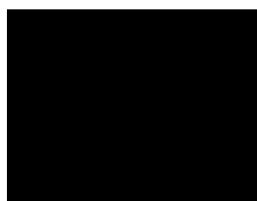
Please tick one box only:

Support       Object (you must explain your reasons)       No comment

Reasons / comments (continue on further sheets if necessary):

Print Name:

Date:



Please return to:  
Planning  
Broadland District Council  
Thorpe Lodge  
1 Yarmouth Road  
Norwich  
NR7 0DU  
Planning@southnorfolkandbroadland.gov.uk

Thorpe Lodge, 1 Yarmouth Road, Norwich, NR7 0DU.  
Tel 01508 533633 / 01833 430509 Text phone 01508 533622  
Freephone 0800 3896109  
Email [planning@southnorfolkandbroadland.gov.uk](mailto:planning@southnorfolkandbroadland.gov.uk)  
Website [www.southnorfolkandbroadland.gov.uk](http://www.southnorfolkandbroadland.gov.uk)



DraytonBD0596

**Town and Country Planning Act 1990**  
**The Broadland District Council Drayton Tree Preservation Order 2023 No. BD0596**

**Citation**

1. This Order may be cited as the **The Broadland District Council Drayton Tree Preservation Order 2023 No. BD0596**

**Interpretation**

2.—(1) In this Order “the authority” means the Broadland District Council

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

3.—(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of, any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 30th day of March 2023

The Common Seal of Broadland District Council

was affixed to this Order in the presence of—

  
Monitoring Officer *Director of People and Communities*



8393

## SCHEDULE Specification of trees

### Trees specified individually - (encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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### Trees specified by reference to an area (within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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A 1	Mixed Area	On verge along east side of School Road, Drayton, Norfolk
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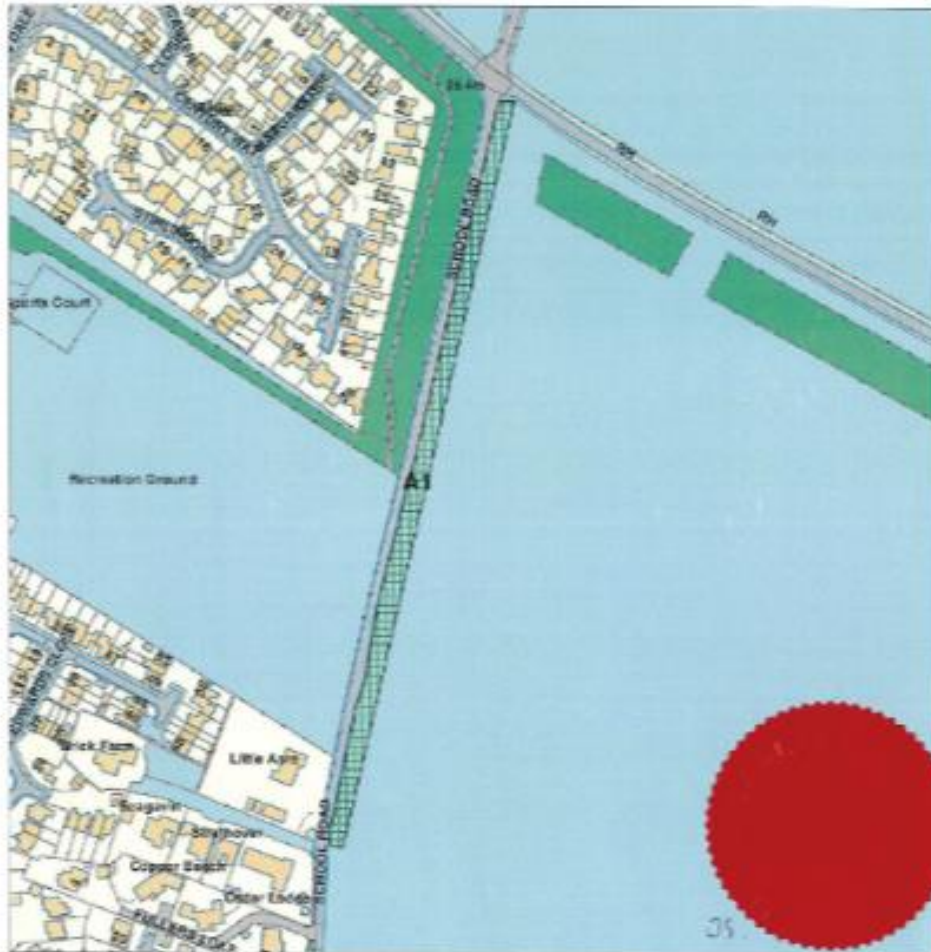
### Groups of trees (within a broken black line on the map)

<i>Reference on map</i>	<i>Description including number of trees of each species in the group</i>	<i>Situation</i>
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### Woodlands (within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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THE BROADLAND DISTRICT COUNCIL  
 Drayton Tree Preservation Order 2023 No. BD0596



KEY

- |  |   |
|--|---|
|  Individual trees (T1 etc.)                                     |  Areas (A1 etc.)<br>Inner edge of dots denotes boundary    |
|  Groups (G1 etc.)<br>Inner edge of broken line denotes boundary |  Woodland (W1 etc.)<br>Inner edge of line denotes boundary |



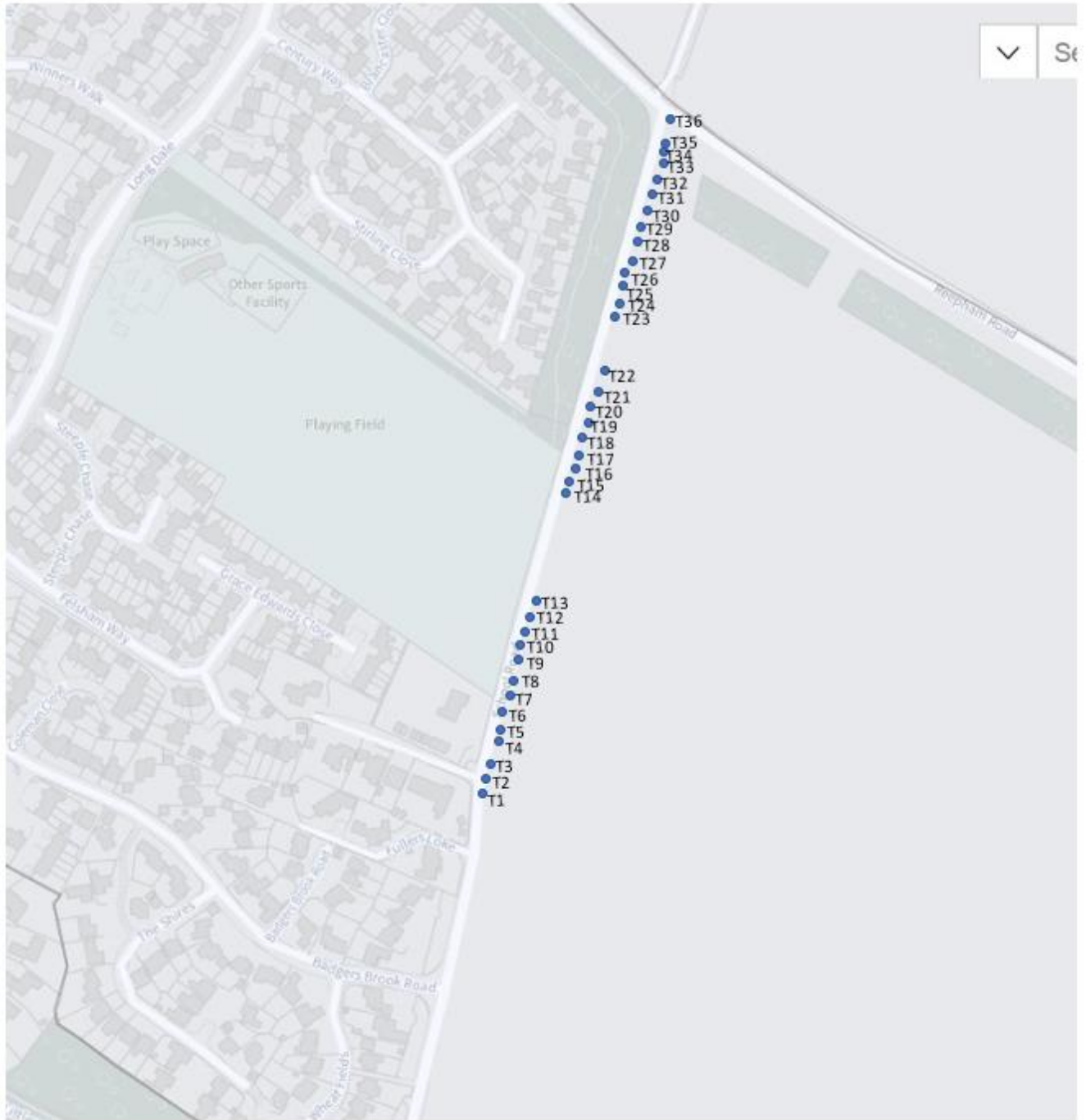
Scale 1:2,500

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Broadland District Council, Thorpe Lodge, 1 Yarmouth Road, Norwich NR7 0DU Tel (01603) 431133

## Appendix 5 – Draft Modified Order



## **Tree Schedule**

T1 – Oak

T2 – Oak

T3 – Oak

T4 – Oak

T5 – Oak

T6 – Oak

T7 – Oak

T8 – Oak

T9 – Oak

T10 – Oak

T11 – Oak

T12 – Oak

T13 – Oak

T14 – Oak

T15 – Oak

T16 – Oak

T17 – Oak

T18 – Oak

T19 – Oak

T20 – Oak

T21 – Oak

T22 – Pine

T23 - Oak

T24 – Pine

T25 – Oak

T26 – Birch

T27 – Walnut

T28 – Birch

T29 – Oak

T30 – Birch

T31 – Oak

T32 – Walnut

T34 – Walnut

T35 – Oak

T36 - Oak