

Planning Committee

16 August 2024

Agenda item number 11

BA/2024/0012/TPO proposed site visit- Land at former Bridge Hotel, The Causeway, Repps With Bastwick

Report by Historic Environment Manager

Summary

An objection has been received to a provisional Tree Preservation Order (BA/2024/0012/TPO) and, as required by the Authority's Scheme of Delegation, this TPO will need to be determined by the Planning Committee at a future meeting. This report considers whether a site visit is required prior to the determination of the TPO.

Recommendation

That Members of the Planning Committee undertake a site visit for the provisional TPO at the former Bridge Hotel site, The Causeway, Repps with Bastwick (BA/2024/0012/TPO).

1. Background

- 1.1. As part of its obligation as a Local Planning Authority (LPA), the Broads Authority is required to serve Tree Preservation Orders (TPOs) on trees which are considered to be of amenity value and which are under threat. There are criteria set out in The Town and Country (Tree Preservation) (England) Regulations) 2012 against which a tree must be assessed in order to determine whether it meets the threshold for protection.
- 1.2. This report explains how this process has been carried out in respect of a group of White Willows, two Crack Willows and a single White Willow at the former Bridge Hotel site, The Causeway, Repps with Bastwick (BA/2024/0012/TPO).

2. Tree Preservation Order procedure

- 2.1. There are two prerequisites which must be met for a tree to be considered for protection through a TPO. Firstly, the tree must be of amenity value, and secondly it must be under threat. There are many trees in the Broads (and elsewhere) which are of sufficient amenity value to qualify for TPO status, but which are not protected as they are not under threat. The TPO process is not a designation like, for example, a Conservation Area which is made following an assessment of particular character, but is effectively a response to a set of circumstances.

- 2.2. Typically, the consideration of a tree for a TPO designation will arise in connection with a development proposal, either through a formal planning application or a pre-Planning application discussion. At a site visit or when looking at photos or other visual representation, a case officer will see there is a tree on the site which is potentially of amenity value and under threat from the proposed development and this will trigger the TPO process. The case officer will consult the Authority's Arboricultural Consultant and he will visit the site and make an assessment of the tree under the 2012 Regulations. If the tree is considered to meet the criteria in the Regulations, then a provisional TPO will be served.
- 2.3. After a provisional TPO has been served there is a consultation period, which gives the opportunity for the landowner and other interested parties to comment on it. The Regulations require that a provisional TPO must be formally confirmed by the LPA within 6 months of it being served; if it is not confirmed then it will lapse automatically.
- 2.4. The Authority's scheme of delegation allows provisional TPOs to be served under delegated powers and for non-controversial TPOs (i.e. where no objections have been received) to be confirmed by officers under delegated powers. Where an objection has been received as part of the consultation process, Members can decide to undertake a site visit to view the tree prior to making a decision on whether or not to confirm the TPO. Guidance on when it is appropriate to undertake a site visit is similar to that which applies in respect of a planning application. This is set out in Appendix 3 of the [Code of Practice for members of the Planning Committee and officers](#). The circumstances in which this would be appropriate include:
- where the issues are finely balanced;
 - where the impacts on neighbour amenity or the wider landscape are difficult to envisage other than by site assessment; or
 - it is beneficial in the interests of local decision-making to demonstrate that all aspects of the proposal have been considered on site.
- 2.5. The grounds of the objection will be reported to the Planning Committee in order to inform the decision on whether or not to undertake a site visit, and a recommendation will be made by officers.
- 2.6. The details of the objection will only be discussed at the meeting where a decision is to be made on whether or not to confirm the TPO.

3. BA/2024/0012/TPO at the former Bridge Hotel site, Repps with Bastwick

- 3.1. The subject trees are a White Willows and Crack Willows.
- 3.2. The site was formerly occupied by the Bridge Hotel and is currently vacant with part of the space used for private car parking. It sits on the southern bank of the River Thurne,

immediately to the south-east of the medieval Potter Heigham bridge. The western boundary of the site is formed by The Causeway, which runs from Repps with Bastwick into Potter Heigham. The northern site boundary is formed by the river; the eastern boundary is adjacent to a boatyard and the southern boundary abuts a restaurant and amusement arcade.

- 3.3. Group G1 is a group of semi-mature White Willow with high growth potential, located towards the south-eastern corner of the site. They are large trees that are highly visible. T1 and T2 are both Willows positioned close to the river's edge on the bank at the northern edge of the site. T1 is a veteran tree and T2 is a pollarded willow and although they both have decay within their base they have high visual amenity. T3 is a smaller pollarded White Willow, again with decay within its base but again with high visual amenity. The decay will mean that the trees will need to be managed through regular maintenance, e.g. pollarding, which is the present management regime.
- 3.4. A planning application for the redevelopment of the site (BA/2021/0490/FUL) was refused by the Broads Authority. This decision was appealed by the applicant but dismissed by the Inspector in May 2024. In his Appeal Decision he stated, 'The proposal includes removing groups of willows on the north-west and north-east boundaries (grades C and B respectively)...I find the grade B group plays an important role in the landscape when looking from the river and also from the footpath to the east, as it softens the built form and infuses it with trees so characteristic of the area.' He goes on to state, 'I consider that by removing a grade B group of trees the scheme would fail to conserve a key characteristic of the Broads'. It is these grade B trees that are covered by the provisional TPO, along with a grade A tree (T1).
- 3.5. On 13 June 2024 a provisional TPO was served on the trees. This must be confirmed by 13 December 2024.
- 3.6. On 18 June 2024 a letter objecting to the TPOs was received.

4. Site visit consideration

- 4.1. A copy of the objection to the provisional TPO and the response from the Authority's Arboricultural Consultant to the representation received are set out in a Statement of Case, attached at Appendix 1.
- 4.2. The main issues raised by the objection(s) are that it is not considered that the trees contribute to the character and wider amenity of the site and surrounding area due to the trees possibly creating a breach to the river bank. There is concern that the Willow trees at the site and the surrounding area are invasive and have an aggressive root system that may cause damage both to the land and waterways. It is hoped that the Authority will not confirm the order to allow the site to be developed so that the area can be presentable for both residents and visitors.

- 4.3. The matters here are finely balanced and the level of concerns expressed is acknowledged. It is considered that it would be beneficial for Members to visit the site so that they could view the issues directly.
- 4.4. It would be beneficial for Members to view the site to assess the contribution that the trees make to its visual amenity and to see the condition of the river bank in order to be able to fully consider the Parish Council's objection.
- 4.5. Which Planning Committee meeting the TPO will be confirmed at will depend on whether a site visit is deemed necessary and, if so, when the site visit is undertaken.
- 4.6. If no site visit is undertaken then the TPO will be confirmed at the next meeting of the Planning Committee on 13 September 2024.
- 4.7. If a site visit is undertaken then the TPO will be confirmed at the meeting on the 11 October 2024 or the 8 November 2024 depending on when the site visit takes place.
- 4.8. Whichever meeting is considered appropriate to confirm the TPO a presentation on the TPO will be provided to the Planning Committee with photographs of the trees and their context, including the neighbouring properties and the local area.
- 4.9. If a site visit is deemed necessary then it must be held with consideration for the report deadlines of 27 September 2024 or 25 October 2024 associated with the two options of Planning Committee meeting when the TPO could be determined.
- 4.10. The report for the Planning Committee meeting considered appropriate to confirm the TPO will detail recommendations for consideration regarding the confirmation of the TPO.

Author: Kate Knights

Date of report: 25 July 2024

Background papers: TPO BA/2024/0012/TPO file

Appendix 1: [Statement of Case](#)

Appendix 2 : [Location plan](#)

Appendix 1 – Statement of Case – Provisional TPO at former Bridge Hotel site, The Causeway, Repps with Bastwick

1. Introduction

- 1.1. It is the Authority’s practice to provide Members with a Statement of Case, outlining the issues under consideration.
- 1.2. A single objection has been raised to the provisional TPO.
- 1.3. As well as the points raised by the objector and the Authority’s response which are set out in the table below, there are other considerations. The trees are of mixed ages and with the correct management will have some longevity of life; they are considered to contribute to the visual amenity of the area and are therefore of benefit to the general public; the trees increase resilience to climate change and improve air quality in the area, aid biodiversity and encourage wildlife.

2. Representations and responses

- 2.1. The issues raised by the objector and the Broads Authority’s Tree Consultant’s response are set out below:

No.	Representation	Response
1.	The trees do not contribute to the character and wider amenity of the site and surrounding area due to the trees possibly creating a breach to the river bank	The trees are all clearly visible on the river bank or close to it and are an integral part of both the riparian character of the site and surrounding area. The trees on the river frontage are all mature/veteran trees that have been managed as part of the on-going management of the site and to date have not caused undue concern. They also have important biodiversity value as mature native pollards and are important features within the immediate and wider broads landscape.
2.	Concern that the willow trees on the site are invasive and have an aggressive root system that may cause damage both to the land and waterways.	Willow trees are integral part of the Broads landscape and can be very vigorous. However, appropriate management of the trees, as can be seen on the river frontage, allows for these perceived potential risks to be managed.

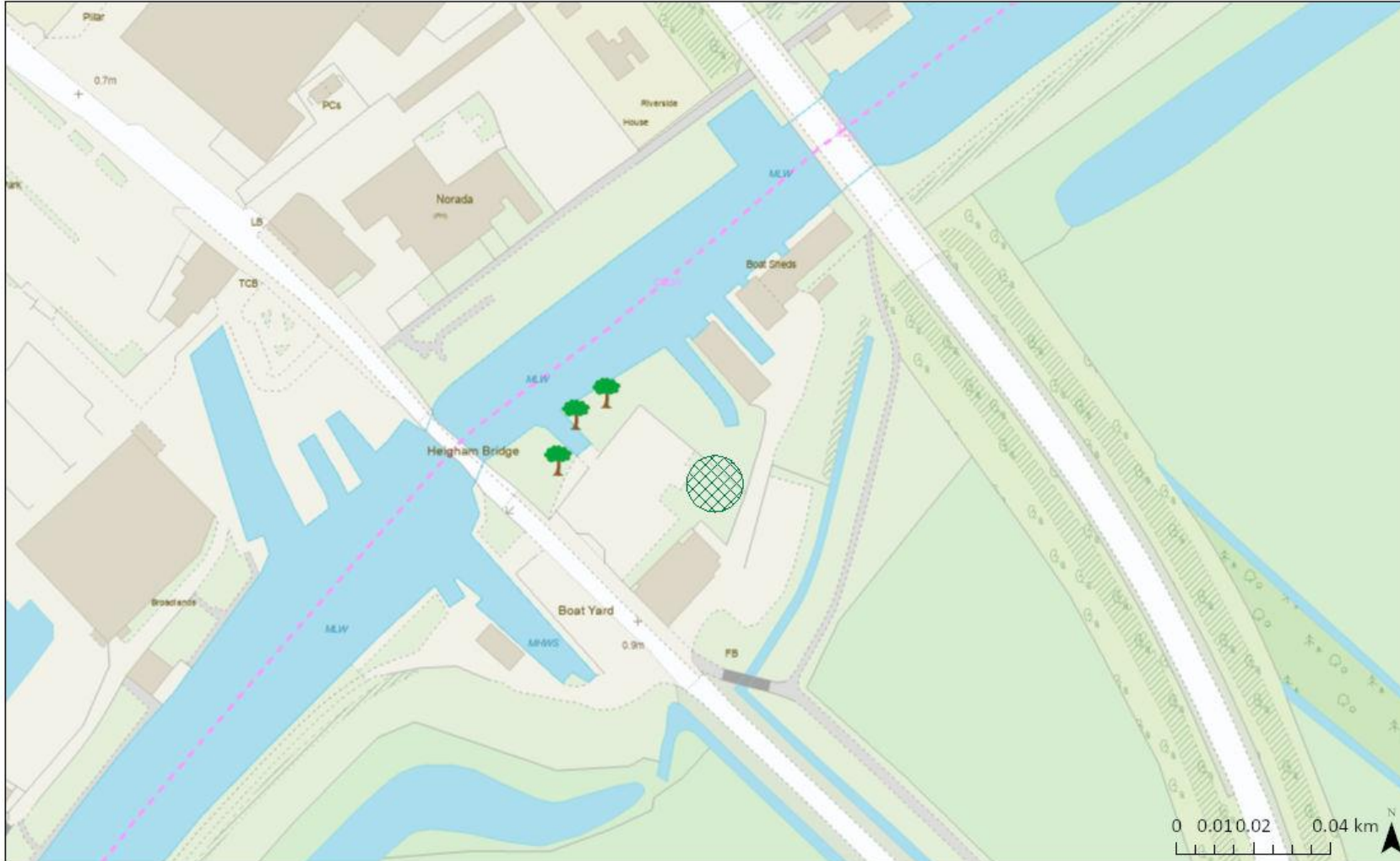
No.	Representation	Response
3.	The TPO should not be confirmed so that the site can be developed and the area can be presentable for both residents and visitors	The Tree Preservation Order does not, and is not intended to, preclude development or tidying up of the site. It is aimed at securing the necessary protection for the existing tree cover on the site as part of any future development. As always with TPOs and development in the Broads, we will work with the site owner to deliver the best possible outcome for both the environment (trees) and any prospective development.

- 2.2. Members should consider this Statement of Case when carrying out the site visit and when considering whether to confirm the TPO.

Appendix 2 – Location plan

BA/2024/0012/TPO - Land At Former Bridge Hotel The Causeway Repps With Bastwick

Scale: 1:1,250



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 TPO Point