

OBJECTION 1

AD and GN Coombs  
36 Kings Lane,  
South Croxton,  
Leicestershire.  
LE7 3RE

A/O Mrs L Strong,  
Democratic Services.  
The Head of Strategic Support,  
Charnwood Borough Council  
Southfields  
Loughboprough  
LE11 2TX

10<sup>th</sup> October 2022

Dear Mrs Strong,

**Re Your letter of the 14<sup>th</sup> September 2022 regarding the imposition of a TPO.**

With reference to your communication of the 14<sup>th</sup> September regarding the proposed imposition of a blanket TPO, which includes a small area of land that we currently own. I enclose a coloured up copy of a site plan showing the area that we own.

We write to provide comments and corrections to your document, together with the information requested.

Firstly, we can confirm that we have no objection, in principle, to the establishing of a TPO over the area of land shown on your plan.

We have watched, with concern, the clearance of the adjacent land, the removal of bushes and trees, and the removal of an established hedge along the Eastern boundary. This work has been carried out over the last two years in several tranches.

This land was largely open with widespread bramble and self set hawthorn/blackthorn, and a few young deciduous trees, when we moved into South Croxton in 2003. Since then the land has remained unmaintained and by 2008 had become impassible in most parts.

The first clearance tranche took place in December 2020, during which most of the trees at the Southern end of the site (shown shaded green on your supplied plan) were removed and burned on site. On this visit the contractors cleared virtually all of the bramble and hawthorn to the lower section of the site and alongside our barn conversion opening up the site considerably. They did not remove any trees within 20m of our barn conversion or any near the road frontage.

After the second event by contractors, we were offered the opportunity to purchase a piece of land adjacent to our barn conversion. The sale of which was concluded in May 2021.

After that date the relocation of the footpath became a proposal. I have no knowledge of the discussions between the main land owner (Mr Stuart Blyth) and the LCC in this respect.

For information, subsequent to the purchase of our tranche of land, contractors removed the established hedge to the Eastern boundary and fencing contractors subsequently erected a new fence in this location.

The Following points refer to the contents of your document:-

Over the last 6 years we have had to remove several overgrown hawthorn bushes/small trees that have fallen over the existing ditch and onto our land (dated correspondence and photographs available). As we write this, there is one tree leaning over dramatically and one with a broken crown (Picture herewith). These Hawthorn trees are at the end of their lives and will continue to fall and cause nuisance and should be excluded from your proposed TPO.

You refer to planting of trees within your order. Please note that no trees were felled along the existing foot path route. No trees were felled within our acquired piece of land by Mr Blyth;s contractors, or others, in the northerly 50 % of the area hatched/green on my supplied site plan at 1:1250 scale.

With the aforementioned in mind, we wish to object to the inclusion of the group of trees as shown on the attached plan (Aerial view on next page) these trees being either old overgrown hawthorn of limited remaining life or physically damaged as per the aforementioned photograph on the following page.

I also insist that any tree replanting is carried out mainly in the southern 50% of the adjacent land shown shaded green on your TPO, as this is where the vast majority of the original trees were felled.

The online 'Ash Dieback' maps show the currently infected area extends to the North side of Kings Lane, therefore, any replanting of any area within the green shaded area with Ash would be short-sighted.

Yours sincerely,



AD and GN Coombs



Leaning trees and tree snapped off at high level.

Group indicated on aerial view





Site Plan 1:1250 at A4

Land at 36 Kings Lane and adjacent (hatched) land area,  
South Croxton, Leicestershire.

Sale of Land adjacent to 36 Kings Lane, South Croxton,  
Leicestershire. LE7 3RE.

## **OBJECTION 2**

### **IN THE MATTER OF**

### **TOWN AND COUNTRY PLANNING ACT 1990**

### **THE BOROUGH OF CHARNWOOD [Kings Lane, South Croxton] [Tree Preservation Order 2022]**

### **REPRESENTATIONS BY BLYTH FARMS LIMITED**

1. The interim Tree Preservation Order which is at pages 1 to 4 of the Bundle attached is in relation to a field that was once part of the Baggrave Estate which was owned and farmed by Blyth Farms Limited. As the only access to the field was over a very insecure bridge it was decided that it would not be farmed as per the rest of the Estate. The only safe access to the field was via a main road through South Croxton to the access along Kings Lane.
2. Over the years the field turned wild. At pages 10 to 18 are photographs that were taken a few years ago showing how the land had become overgrown. There were problems with a neighbour [Adrian Coombs] as some old trees were falling onto his property.
3. It was decided to call in a specialist tree surgeon, Martin Riley, to try and eliminate all the undergrowth and a number of the self-set saplings which made the field more accessible and opened up a public right of way. Blyth Farms then erected a secure post and rail along the roadside and a new agricultural entry gate on to the land. Sometime later they erected a new post and rail stock fence along the southern boundary which had been unsafe for a

long time [there had been horses coming on to the land]. Photographs at pages 5 to 6 show some of this work.

4. It has been the intention of Blyth Farms Limited to improve the area considerably by eliminating some of the trees that were not quality wood such as Hawthorn etc and replacing them with quality trees such as Oak, Beech and Maple.
5. Blyth Farms Limited, over a period of 40 years, have planted in excess of 10.74 acres of woodland on the Baggrave Hall Estate, 16.7 acres at Lake House Farm and 2.5 acres at Bunker Hill Farm, Thrussington all with the approval of the Forestry Commission. It has never therefore been the intention of Blyth Farms Limited to harm good quality trees. In fact the opposite has been the case.
6. The Tree Preservation Order [plan at page 4 of the Bundle] shows the whole of the field area. This is despite the fact that there is areas of land that have been wild that contain no trees whatsoever [see page 7 for example]. This is covered by a Tree Preservation Order but there is no trees across a large swathe of the land.
7. The Tree Preservation Order also mentions Ash trees only. However, it is the other invasive trees that have caused problems with the area.
8. A Director of Blyth Farms Limited, Stuart Blyth, finds it frustrating that the Order has been instigated without prior consultation with Blyth Farms Limited. He seeks a constructive meeting with someone on site when the whole of the area can be discussed. As has been informed, Stuart Blyth does

not reside permanently in the UK but travels frequently and will be available for a meeting from 19 December 2022 onwards.

9. It is submitted that the correct process here will be to start again and discharge the interim Tree Preservation Order and have a discussion with regard to the land and what is appropriate as at present the Tree Preservation Order is unworkable and benefits no-one.

Salisbury Harding and Barlow  
Solicitors on behalf of Blyth Farms Limited

Dated 5<sup>th</sup> December 2022

**Town and Country Planning Act 1990**  
**The Borough of Charnwood (Kings Lane South Croxton) Tree Preservation**  
**Order 2022**

The Charnwood Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order:

**Citation**

1. This Order may be cited as The Borough of Charnwood (Kings Lane South Croxton) Tree Preservation Order 2022.

**Interpretation**

2. (1) In this Order “the authority” means the Charnwood Borough 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**

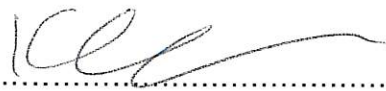
4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect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

Dated this 9th day of September 2022

The Common Seal of the Charnwood Borough Council  
was affixed to this Order in the presence of:



2022/23-60

  
.....

## SPECIFICATION OF TREES

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

Reference on map	Description	Situation
	None	

### Trees specified by reference to an area (within a dotted black line on the map)

Reference on map	Description	Situation
	None	

### Groups of trees (within a broken line on the map)

Reference on map	Description (including number of trees in the group)	Situation
	None	

### Woodlands (within a continuous black line on the map)

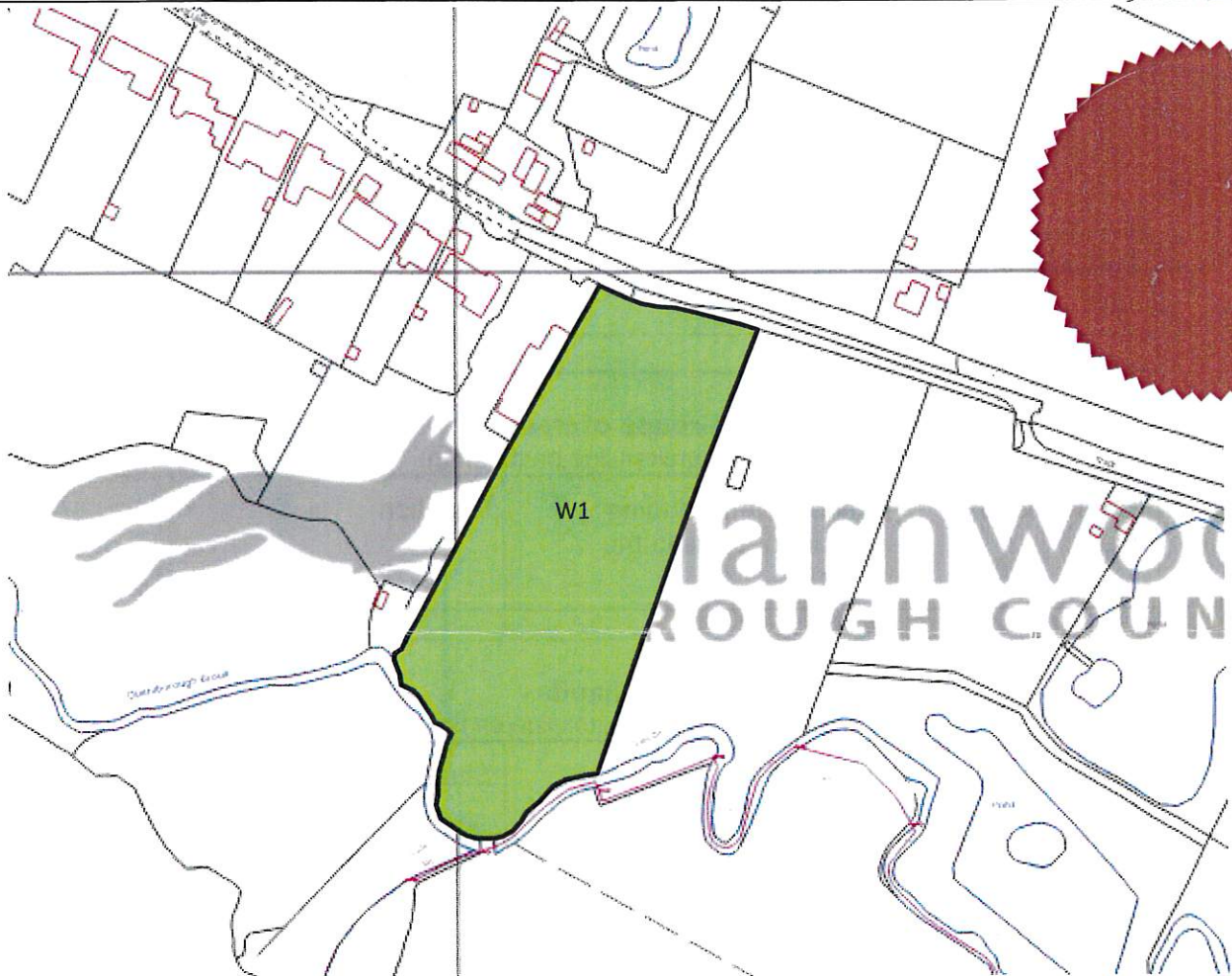
Reference on map	Description	Situation
W1	Ash ( <i>Fraxinus excelsior</i> ) dominated plantation	Land South of Kings Lane South Croxton  Grid Reference: SK6900999

I certify this map shows the entire area referred to in the first schedule of the Borough of Charnwood (Kings Lane South Croxton) Tree Preservation Order 2022



Authorised signatory ..... *[Signature]* .....

2022/23-6



**Borough of Charnwood  
(Kings Lane South Croxton)  
Tree Preservation Order 2022**

R Bennett Dip. TP. MRTPI  
Head of Planning & Regeneration  
Borough of Charnwood  
Southfields  
Loughborough  
Leics. LE11 2TN  
Date: 22/8/22  
Scale: 1:2500)  
Prep: RMS

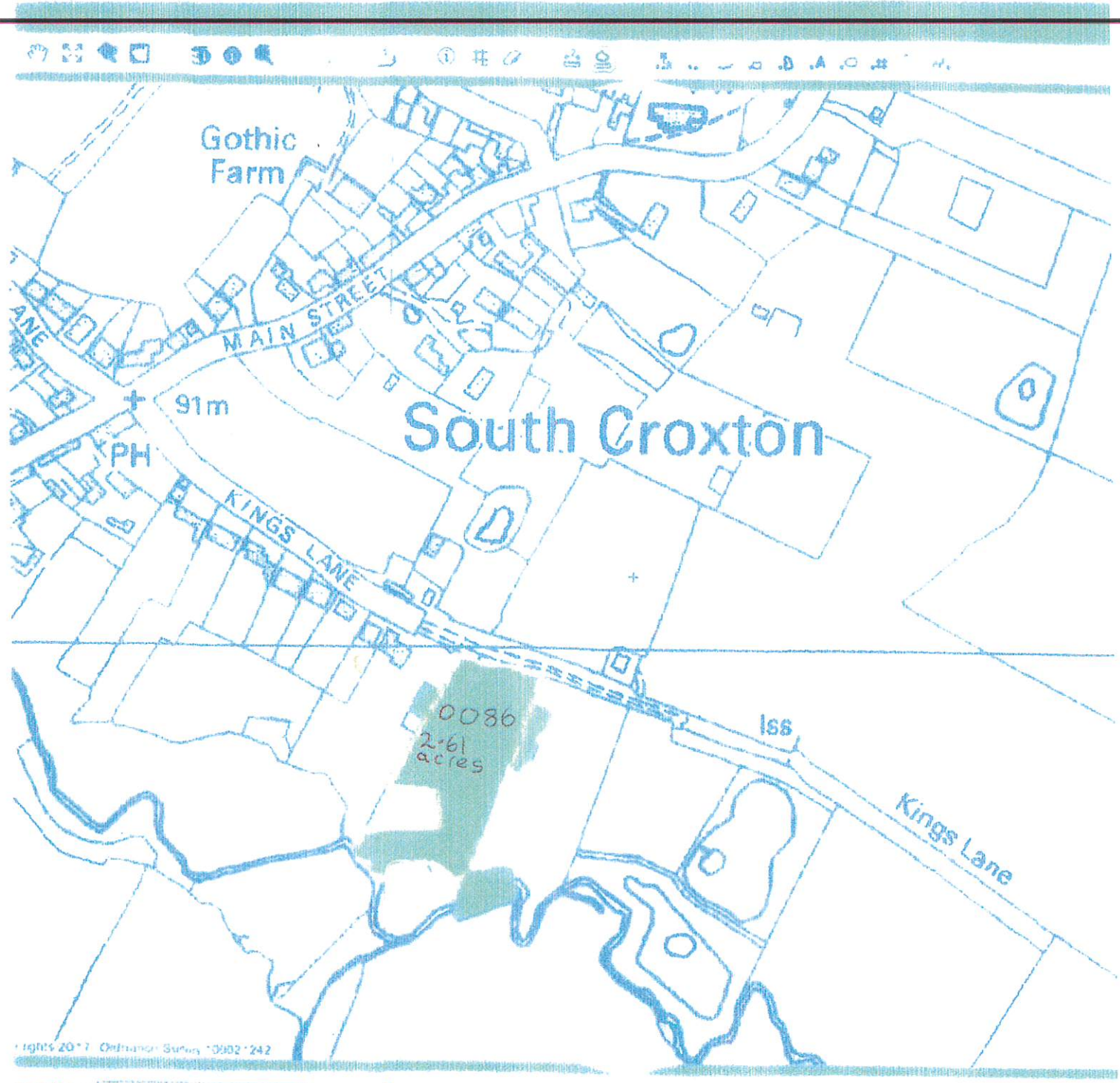
Licence No 100023558 Reproduced from the Ordnance Survey Map with permission of the Controller of Her Majesty's Stationary Office, Crown Copyright Reserved.











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Quick View:

Map Tool: Measure Polygon Area

1.3m (SK692101)

SK 690 099







**From:**  
**Sent:**  
**To:**  
**Subject:**

Stuart Blyth  
21 August 2019 13:06  
Tina Pojnar  
South Croxton pics.

Tina Pojnar

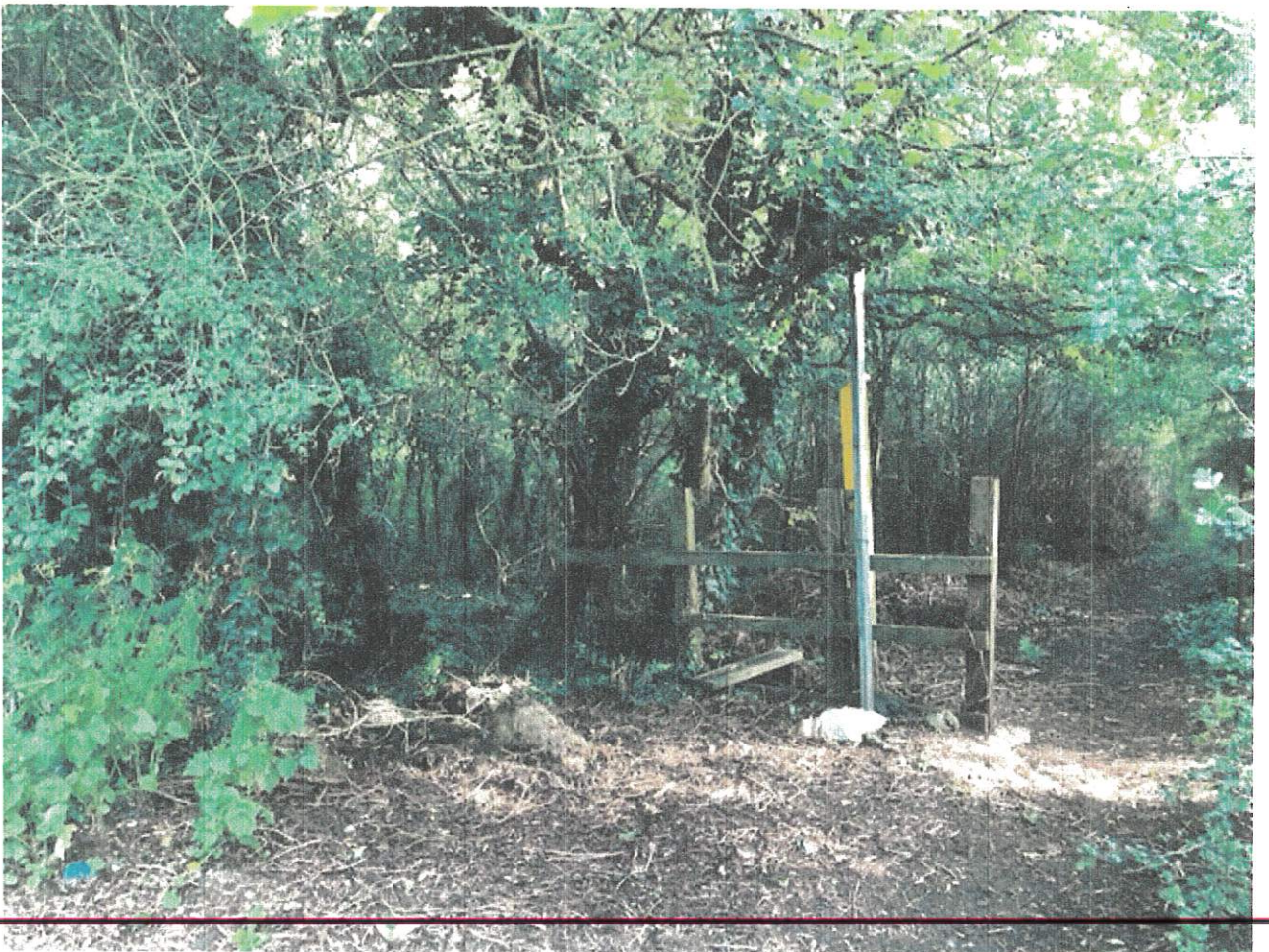
The road.







The old style



The old gate.







Sent from my iPhone

