

Summary of submitted objections, comments, & support

Comments from local resident 1

1. Lived in the village for many years and virtually no maintenance has occurred of the wooded areas or the general road infrastructure, although the council does cut the verges.
2. A local resident (owner of the wooded areas) has spent a fortune improving the area. Improvements to date are:
 - a. Adding passing places along the village access road from the NE,
 - b. Clearing overhanging bushes and vegetation which were reducing the width of the road and visibility along the road, which is also the Viking Way.
 - c. Verges sculpted and post & rail fence installed along the northern road edge.
 - d. CCTV was installed along the road to prevent fly-tippers.
 - e. W1 was full of undergrowth and bracken which has now been cleared, and believes a footpath is to be made through the W1 for disabled church access
 - f. W2 has been cleaned up close to the road to improve visibility and generally enhance the area. The rest of the woods is untouched.
 - g. The monument field has been cleared of bushes and bracken. There are no trees felled here. The Listed monument has been cleaned and restored.
 - h. A new steel 'estate' type fence has been installed along the roadside of the monument field, with gates.

Future improvements:

3. He believes new land drains will be installed in the monument field to prevent spring water seeping onto the road in winter which causes a slip/skid hazard, and the field will be re-sown with grasses and wild flowers.
4. The grounds of St Margaret's Church are to be renovated.
5. The improvements to the village are immeasurably better, making the village a delightful place to live.
6. The council has saved huge sums of money in road maintenance.
7. Although some trees have been removed as they were either falling down or rotten, most have been left untouched. An arborist was consulted to advise the contractors and keep within regulations.
8. Believes the TPO was brought about erroneously by one person in the village.
9. Hopes the TPO will not dissuade the benefactor from finishing the village work.
10. Whilst he considers the council officer's observations are valid and also thinks the laurels planted along the roadside are inappropriate, his view is purely for the aesthetics of the village and overall improvements of their surroundings.

Objection from local resident 2

11. A volunteer secretary to the Parish Meeting, but his comments are made as a resident and have no connection with the Parish Meeting. His objection is based on what he believes are the landowners plans and intentions for the woods, how he views the activity to date, and what he understands to be the regulatory framework/legislation regarding woodland management.

12. Considers the TPO to be unnecessary and inappropriate, because he is aware that shortly after the current land owner bought the woodlands, he commissioned an arboricultural consultancy company to carry out a detailed survey, and this objector was impressed with the survey results and improvement proposals. The survey confirmed the woodland had previously not undergone any significant management, allowing the understory to become dense in areas, and sycamore became dominant.
13. The report covers the sustainable regeneration of the woodland, including provisions for public and highway safety, improving woodland structure, making space for new planting, creating space for light and natural regeneration, and restocking with indigenous species such as beech, English oak, Scots pine, yew, whitebeam, and wild service tree. The report points out that considerable work to thin and clear is needed to allow these improvements, whilst leaving other areas in the woods undisturbed.
14. The woodland management plan is very strong on preservation and enhancement of wildlife habitats, and the proposals are a good match with a 2005 RSPB publication for woodland management and enhancing woodland bird species by including;
 - a. A balanced overall structure
 - b. A sustainable shrub layer
 - c. Rides, glades and other open spaces
 - d. Retention of dead and rotting wood
 - e. A buffered woodland edge,all of which feature throughout the consultant's report.
15. The existence of the woodland management plan reduces the expedient reasons for making a TPO, and the plan is the most effective and appropriate way of safeguarding the woods, by allowing it to be improved.
16. Agrees that many trees have been removed over the last couple of years, significantly thinning the woodlands and altering their appearance and character. He welcomes the change rather than seeing it as a cause for concern. The majority of the felling and removal has been along the woodland edge against the road. The understory in particular had grown to extend over the road, and included dead and live trees leaning towards the road, pressing on other trees and bushes forcing them out into the road. This caused the road to become narrow and had a negative impact on road users and safety. LCC highway maintenance team flailed back the edges in Jan 2019. This would have required repeat visits if it were not for the landowner taking the woodland boundary further back up the slope away from the road, and considered the outcome to be a visual improvement and safer for the road. He doubts the removal of several trees and undergrowth along the roadside woodland edge has had a lasting and negative impact on wildlife habitat.
17. Creating space has allowed the metalled road surface to be restored to its original width. Passing places have been developed to highway specifications at the land owner's expense in consultation with LCC. WLDC road cleansing cycle is more effective. The appearance of the road and Viking Way is now to a higher standard.

18. Drainage has been improved - that area had received prolonged flows of water from an aquifer above Somerby. The water would come in channels down through the woods, under the road, and into a catchment pool within the woods W1 to the side of the church. Accumulated water would overflow into the lane south of the church and run along the road causing a hazard in freezing weather. The landowner investigated and instigated remedial measures higher up the slope to collect and divert the water westwards onto grassland.
19. Considers the changes around the village to have generated a range of benefits that significantly outweigh the loss of the trees. He strongly believed the trees should be protected, as it is the only significant group of trees on this part of the Wolds between Barnetby and Caistor, if not beyond, and it would be a tragedy if the woodland was lost. His understanding is that a felling licence would only be granted with some form of woodland management plan in place, and that tree felling is only permissible through a felling licence granted by the Forestry Commission (FC). Somerby woodland has been protected by felling licences previously, and will presumably continue to be so, and he expects the recent work has been carried out with a felling licence in force, so does not understand why a TPO has now been considered necessary.
20. He assumes the TPO may only be temporary to call a halt to the felling work if the Council believes there has been a problem with the felling work under the felling licence. If the TPO is made permanent after the initial 6 months, it would begin to undermine the felling licence regime. Only one set of regulations should be sufficient. The management of the woodland would be more appropriately governed through the felling licence regime. The TPO should be lifted.

Objection from local resident 3

21. Very disappointed to see a TPO has been implemented.
22. Since the current owner purchased the land, he has improved the look of Somerby, whereas it was previously overgrown and neglected.
23. The work done so far to the trees next to the church and up the cutting has removed dangerous and dead trees.
24. The road is a lot safer, including the 4 x lay-bys.
25. Everything is a vast improvement, including the fencing, railings and restoring the monument.

Objection from land/tree owner

26. He has requested on 2 occasions for a TPO to be made on the 250 year old trees within the grounds of Somerby Hall. In both instances he was refused as an Order was not deemed appropriate. This included a 250 year old Mulberry which was maliciously cut in half by a villager.
27. He has spent over £40,000 of his own money improving the village by incorporating passing places, improving drainage, upgrading the road which was dangerous and had previously had a number of large trees fallen in the past 5 years, and refurbishing the monument.

28. Trees felled in the churchyard were either dangerous and/or diseased and were a significant danger to all who passed.
29. The grounds were poor and trees were not growing due to the density of trees less than 100 years old.
30. Work was done in accordance with the recommendations of his appointed arboriculturist who provided 3 reports.
31. Believes he has received very complimentary support from most villagers
32. All work has been appropriate and to the benefit of the village and more importantly the forests/trees.
33. Recently presented the church warden and vicar loans to overhaul the church trees to provide facilities and a designated treating area for the benefit of all, in particular disabled individuals with no church access. Will incorporate parking and access to the church. Contributed money to help maintain and run the church.
34. Feels the council has misjudged the situation.

Support from Lee Bolton Monier-Williams LLP

35. He is indebted to the Council (for the making and serving of the TPO)