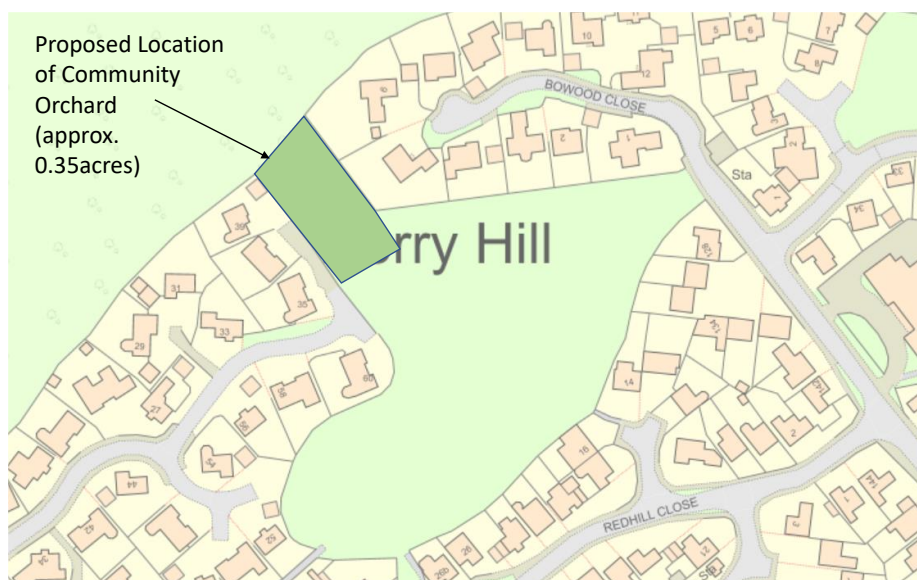


## Calne Without Parish Council Community Orchard Update

### 1. Background

In February 2023, the Parish Council approved the further development of an outline proposal, from the Climate Emergency and Environment Working Group, to develop small community orchard of approximately 15-16 fruit trees. The proposal was to locate this on a small limb of the Petty Acre public open space, in the centre of Derry Hill, as indicated below:



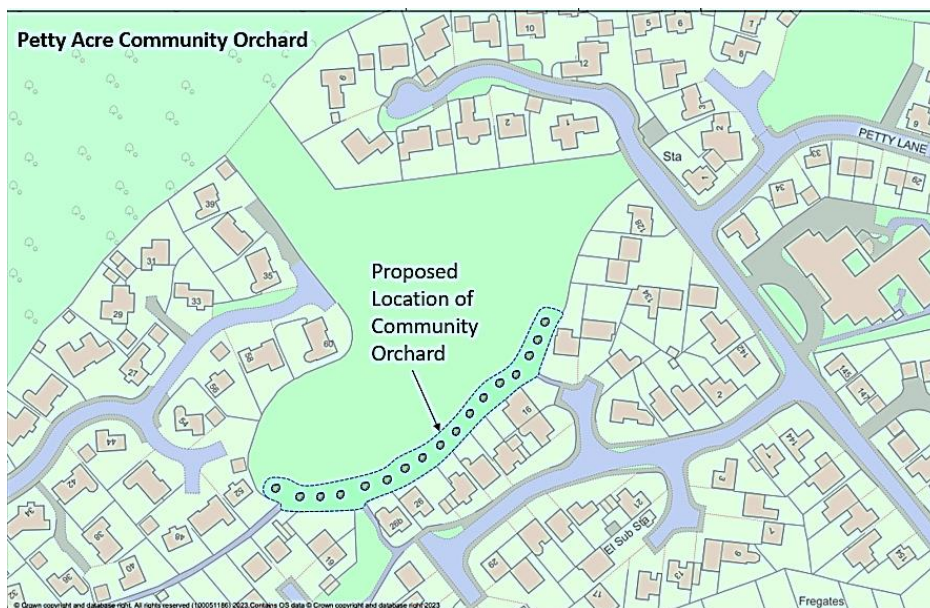
The purpose of this paper is to update the Council on progress and the results of initial consultation work.

### 2. Development

Early consultation was undertaken with Wiltshire Council, as the long-term leaseholder, and the Bowood Estate, as the freeholder of the land.

Wiltshire Council were supportive of the proposal and offered the support of one of their Tree Officers to help develop the project. Bowood requested that the location be moved from the northern limb of Petty Acre, in order to maintain access to Derry Woods for future forestry operations and/or maintenance to the drainage outfall.

The Working Group developed several alternative layouts in other parts of Petty Acre and on open space off Petty Lane, before deciding to put forward the following layout for consultation, with the orchard trees running along the south-eastern margin of Petty Acre, approximately 4m in from the fence-line:



This layout was selected for the following reasons:

- Planting the trees to the north of adjoining properties would minimise shading and loss of light to neighbours.
- It would limit the impingement onto open recreational areas.
- The orchard trees would visually enhance the current boundary (currently mostly consisting of bare fencing).
- The linear layout would provide less of a focus for potential anti-social behaviour.

### 3. Consultation

The Working Group decided to undertake an initial consultation with the properties immediately adjacent to Petty Acre, before extending the consultation to the wider village.

The consultation was undertaken over 25<sup>th</sup> to 27<sup>th</sup> June. Further feedback was subsequently received by email and through Facebook comments on the Derry Hill and Studley Community Forum.

The results were as follows:

	All Properties adjacent to Petty Acre	Properties adjacent immediately adjacent to the Orchard location
Total number of properties	28	10
Number of properties contacted	21	10
Percentage responding	75%	100%
Number of properties favourable towards the project	15	4
Number of properties unfavourable towards the project	6	6

As can be seen, residents adjacent to Petty Acre, but not immediately adjacent to the Orchard Trees were broadly supportive of the proposal. However, a majority of the residents immediately adjacent to the orchard trees objected to the proposed scheme, with those objecting being very strongly opposed.

A range of concerns and objections were raised by those immediately adjacent to the proposed trees, including:

- Shading and loss of light.
- Loss of view and open aspect.
- Future maintenance.
- Security concerns.
- Environmental effect on existing plants and fence (loss of water, introduction of diseases).
- Maintenance of access to the rear of the fenceline.
- Potential damage to drainage.
- Creation of a natural corridor for pedestrians.
- Creation of a secluded area for antisocial behaviour and nuisance behaviour (e.g. throwing fruit over the fence).
- Attraction of wasps and other pests to fallen fruit.
- Impingement on play area.

A full transcript of written objections received from residents is included as Appendix A. These have been included to convey the strength of feeling from residents objecting to the scheme.

Further consultation on the proposal was put on hold, until the Council has been given the opportunity to consider this feedback.

#### **4. Recommendation**

Due to the strength of the objections, it is recommended that the Council places the Community Orchard project on hold, until such time as an alternative site can be found to Petty Acre.

Cllr John Barnes  
On behalf of the Climate Emergency & Environment Working Group

### **Appendix A – Written correspondence received objecting to the scheme**

This appendix is a transcript of correspondence received from residents objecting to the scheme. Correspondence received from residents immediately adjacent to Petty Acre only has been included. All correspondence has been anonymised.

#### **Resident A – Survey response**

The resident liked the idea in principle but considered that the location was unsuitable. Concerns raised by the resident were:

1. The trees would dramatically change the very open aspect, the view from the property and garden of a wide open sky and the security.
2. Irrespective of the location of the fence, the property currently benefits from a lot of light reflected by such a wide expanse of sky.
3. Blocking the view of the fence from the field presents an increased security risk of anyone wishing to gain access via the fence.
4. There is a major drain along the proposed line of trees.
5. Maintaining access at the rear for future maintenance work to the property's fenceline.
6. The orchard will create an environment of still air by the fence and will change the environment of the established tall plants in the garden.
7. The orchard will create a corridor between the footpath from Lansdowne Crescent West and the entrance to the field from Redhill Close/Shelburne Way.
8. Providing a secluded area for anti-social behaviour which there have been problems with before on Petty Acre.
9. Providing an area for dog fouling without the need for owners to clear up which is already a problem in the village.
10. Maintenance of the orchard should not be under-estimated. The grass isn't always mowed and the council has to be reminded. People may volunteer to start but this is difficult to keep going. Fruit trees, particularly plum trees attract wasps which isn't a good idea where children are playing close by. Fallen fruit will become a problem for the residents as it can attract vermin and wasps.

The resident considered that the northern limb of Petty Acre (between the end of Lansdowne Crescent West and Bowood Place) would be a more suitable location. If the trees were planted in the centre of this area there would still be room for Bowood to access the area around the edges. As there are already trees on the boundaries in this area the orchard would not present such a dramatic change.

Currently the whole of the field is widely used. Lots of different games are played and its great attraction is the wide open space it provides. The areas close to the fences are often used by families with smaller children so they are away from the more energetic games. Parents are able to keep an eye on their children from the edges of the field without getting too close to the games. If anything is going on in the centre of the field people commonly use the edge of the field to move across the field. Planting the orchard will reduce this area and bring people much closer to any activities.

If there is spare money in the Parish Council budget would it not be better used on existing community projects? For example, finishing the project started on 8th June 2023 and finally making this public and very well used footpath from Derry Hill to Pewsham safe in all weathers.

**Resident B – email response subsequent to visit**

I was recently canvassed by two councillors concerning a proposal to plant apple trees along the residential fence-line on the south side of Petty Acre, Derry Hill. At the time of being canvassed I was in favour of such a planting programme and said so but with voiced concerns about the potential for wasps and hornets and the potential for loss of sun/sunlight into the adjacent gardens. I was assured that there wouldn't be a problem.

Since the visit by the councillors I have had time consider the proposal in greater depth and to speak to my wife and other neighbours.

I now wish to withdraw my support for apple trees being planted adjacent to the southern residential fences of Petty Acre on the grounds of the potential for wasps and hornets, possible issues concerning light and possible issues concerning potential subsidence (more particularly to fences but also to my property which is right by my fence boundary).

I would offer as an alternative suggestion (although I understand the money available is for trees) the planting of shrubs/hedge and a strip of wild flowers all of which would support wildlife and especially insects and birds, would be aesthetically pleasing, would not grow higher or significantly higher than the fenceline and would not involve any possible subsidence. I hope this can be seen as a viable alternative to apple trees.

**Resident C – Email Response**

I write in objection to the proposed positioning of a community orchard at Petty Acre, Derry Hill.

The proposal is for a line of fruit trees (approx 15) along the south eastern margin of Petty Acre close to the rear of the houses. I live in one of these houses and feel the impact of this proposal on residents has not been fully considered or weighed and when it has been it will be found to be an inappropriate position for the proposed trees.

I have a number of objections. These are

- 1. The proposed trees will materially reduce light to gardens and through the windows of the houses.** The garden is small and is North East facing and so receives little light for much of the year. Trees within 10m of the fence will restrict the afternoon light during the summer and prevent me from enjoying the property: we will lose sun to the only part of the garden that gets direct light after 3pm!
- 2. Fruit trees attract hornets and wasps.** Hornets and wasps are attracted to ripening fruit and can become aggressive in defence of them. Few people would want wasps and hornets close to their house and garden and their presence would hinder my enjoyment of my garden, prevent me from eating outside, and restrict ventilating the house through open windows. Moreover aggressive wasps and hornets would endanger children and other uses of Petty Acre.
- 3. Damage to existing plants and fences.** Fruit trees cause damage in many ways: branch damage to fences from unmaintained growth; root damage to foundations; water theft from other plants (fruit trees are very thirsty plants); and most notoriously, the introduction of diseases. Diseases are a particular problem in traditional varieties which are proposed. All of these effects risk damaging my existing boundary fence and the plants in my garden.

**4. Loss of view and impact on house value.** Any tree above 2 metres high will impact the view from my house. All the properties on the southern edge of Petty Acres enjoy far reaching views of the wider village and treescape. The proposed orchard trees may be 5-7m tall and so will rob these properties of this view. All these houses have small gardens and a major part of their attractiveness is the view. Losing this is bound to negatively impact house values (as indeed will many of the other objections listed) with a potential knock on reduction in other properties in Redhill Close.

**5. Reduction in security.** Trees near to my rear fence would provide cover and an access route for intruders. Petty Acre has no lighting by night and is largely not overlooked by day. Aiding criminals by providing further cover and access with trees will reduce the security of the properties.

**6. Increase in nuisance.** Similarly, the addition of trees provides an opportunity for children to climb on them and swing into my garden, whilst the provision of fruit gives the "ammunition" to throw at the house. Regrettably this has been a problem previously but at least then the culprits had to forage further for their projectiles and didn't have the benefit of a platform to throw them from!

**7. The north facing site proposed offers the wrong aspect for fruit growth.** Fruit trees need lots of light; indeed that is why they are usually planted in regular grids well away from shading obstructions. The proposed site on the north side of fences and houses will reduce the sunlight available and the trees will not fruit and are more likely to diseases and die. This wastes the money spent on them. Other sites with better aspects should be considered.

**8. Lack of a Credible Approach to Wood Management.** All of the problems listed above are made worse if the plantation is not frequently, and well, managed over the many years of its life. This is unlikely to be achieved through volunteers which I understand to be the current proposal. For example disease control requires the use of specialist chemicals. These are expensive and require expert handling. Pruning becomes a more specialized job once trees are larger than saplings and requires the use of power tools above head height, again needing expert and trained personnel to perform. Removal of damaged and ripe fruit needs to be done frequently and timely to minimise the attraction of hornets and wasps. **This is not credible on an informal and no cost basis.** It is unclear what the proposed wood management and maintenance arrangements for the orchard would be, how the range and quality of the work necessary will be guaranteed, or how it (or any specialist equipment or expertise) will be funded in the long term. **Any proposal must define this and state how it will be paid for.**

**9. There are other alternatives for the orchard. It is unclear if they have all been considered and the best selected.** Any proper process should look at and weigh all the options against each other to allow a proper and informed choice. How will the council do this? A simple list of alternatives could include:

a. *Position on the northerly spur of Petty Arce.* It is understood this may have been considered but rejected on grounds of access. The spur is large and the number of proposed trees are few, or could be reduced, so it seems unlikely that any required access route couldn't have been maintained. It is suggested this option be re-evaluated.

b. *Position away from any houses as small copse on the western half of Petty Acre.* This site between the small hills and two benches has a number of advantages. It is away from any housing thus mitigating some of the concerns; it offers a southerly aspect essential for good fruit growth; and it still leaves the majority of the field available for dog exercising and sports. It is true that a recent

proposal to site a play area in that position was objected to but the objections aren't relevant to an orchard as they expressed different concerns.

**10. No process and timetable for decision making on the proposed orchard has been published.** A clear process and timetable is essential for fair and broad community engagement. What is the process, time, table, and mechanism for further consultation and decision making on this topic?

**Resident D – Email Response**

Just wanted to let you know my views of the proposed site of an orchard to the south side of petty acre in Derry Hill.

It will be right next to my garden fence. Which it would take away my view.

Where would the roots of the trees go?

This may cause problem for drains ie soakaways.

Fruit Trees attract wasps dangerous for small children.

Kids /teenagers would have great fun throwing fruit over fences.

North side of the field would be better.

**Resident E – Email Response**

I am writing to confirm that we oppose the plans to create this orchard following my reasoning below.

Firstly, we are still unsure of who will be fully responsible for these trees. If this was in a neighbour's garden and the tree fell over and damaged my property the neighbour would be liable for the cost of damages. Who would be responsible having the trees 4mts away from my fence line and a 5/6mtr tree came down on my fence? Who will be responsible for the maintenance such as pruning, clearing of fallen fruit and pest control. As you've probably noticed if this is left to the council it would not get done. On the petty acre already is a fallen branch of a tree. It's been there a month and the guys from the council who (rarely, or only come when a complaint gets sent in) come cut the grass, mowed around this and have left it where it has fallen, the trees and bushes rarely get pruned or maintained on petty acre, so I'm sorry but this is a recipe for disaster for the residents who will be in close perimeter to these trees. It will also bring a lot of pests to the area, one of them being wasps and as you may be aware can be quite costly when pest control get involved for removal.

Secondly I am concerned of the light that it will rob our gardens and take away from the very little light that they get already. The right of light act 1959 states that if a property has received light for the last 20 years, they will be entitled to continue to receive that light. This line of trees will be taking this away from the gardens on this boundary. They will also fall under the 'High Hedges' Act as will grow taller than 2mtrs tall.

Thirdly taking consult from some groundsmen, it has been confirmed that the aspect to grow fruit trees in that area is not very promising.

Lastly, I am unsure why the Parish Council are trying to change the face of Petty Acre. It is a lovely open area which has been enjoyed by many in the village for many years. If the Parish Council are looking at using up some funds, I would suggest, maybe adding some more benches, or upgrading the ones already there that are not being maintained at the moment. The goalpost which alot of children still use daily could do with some maintenance too.

So to reiterate, I appose the proposal of the Community Orchard as do many other property owners on this boundary who will be directly affected by these plans.