

PLANNING DEVELOPMENT CONTROL COMMITTEE

30 JULY 2009

CONFIRMATION OF TREE PRESERVATION ORDER 1948 – LAND AT PYOTTS
COTTAGE, AIRLIE ROAD

REPORT OF THE HEAD OF ENVIRONMENT

Contact Officer : Thomas Gregory (Tel 01962 848 317) tgregory@winchester.gov.uk

RECENT REFERENCES

None

EXECUTIVE SUMMARY:

To consider the confirmation of Tree Preservation Order 1948 to which an objection has been raised.

RECOMMENDATION:

That having taken into consideration the representations received, Tree Preservation Order 1948 is confirmed.

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DETAIL:

1. TPO 1948 – Land at Pyotts Cottage, Airlie Road

- 1.1 Winchester City Council received a phone call from the owners of Pyotts Cottage stating that they were hoping to sell the property and requesting that a TPO was served on the two Yew Trees in the rear garden.
- 1.2 The arboricultural officer attended site to assess the trees and it was considered that they fell within the criteria required for a Tree Preservation Order to be served in that they were “Significant trees that contribute to the visual amenity of the area.” and that the trees were potentially under threat as a result of the impending change of property ownership.
- 1.3 A TPO was made and served on 28 January 2009.

Formal Objections

- 1.4 Correspondence has been received from Mr and Mrs RF Clarke of St Mary’s Cottage, Airlie Road.
- 1.5 There have been objections to the preservation of T2 on the grounds that:
- *The tree does not have significant enough value within its landscape to justify a Tree Preservation Order.*
 - *There is no threat to the tree being removed or significantly pruned other than which has occurred over several years to date.*
 - *If left un-pruned the canopy of the tree would extend over the property boundary which would present a number of concerns – poisonous berries falling into reach of young children and a dog, falling debris causing staining to the patio and a walking hazard, interference with the garage roof and guttering and blocked sunshine.*

Officer Comments

- 1.6 The trees have been assessed using the Tree Evaluation Method for Tree Preservation Orders (TEMPO) and the visual observations of the arboricultural officer. TEMPO is a nationally recognised tool for assessing trees for suitability for TPO and is recommended for use by the Winchester City Council Tree Strategy – consultation draft.
- 1.7 The trees scored highly given their visual amenity value and prominence in the landscape.

1.8 In response to the objection, the arboricultural officer's report stated that:

- *The trees are located in the rear garden of the above property. Given their current size the trees can be seen from a number of surrounding residential streets and properties and thus contribute to the general amenity of the area. The trees have the potential to grow much larger and contribute even more to the local landscape and amenity in the future.
When assessing trees with a view to serving a TPO, the benefits may be present or future.*
- *Pyotts Cottage is not located within a Conservation Area and the trees therefore have no other protection. The level of threat in this case is very much unknown, but it is considered appropriate to take a precautionary approach and serve a TPO.*
- *The concerns that the objectors have raised are all problems associated with trees in general. The TPO will not preclude the objector from applying to the council to prune the tree in order to alleviate these problems.*

1.9 The tree officer would be happy to meet with an applicant onsite to discuss appropriate work to the trees and to provide guidance on submitting a formal application.

OTHER CONSIDERATIONS:

2. SUSTAINABLE COMMUNITY STRATEGY AND CORPORATE BUSINESS PLAN (RELEVANCE TO):

The approval of this trees works application will contribute to the High Quality Environment outcome of the Sustainable Community Strategy.

3. RESOURCE IMPLICATIONS:

There are no financial implications for the City Council.

4. RISK MANAGEMENT ISSUES

There are no risk management issues for the City Council.

BACKGROUND DOCUMENTS:

Tree Preservation Order 1948 – Land at Pyotts Cottage, Airlie Road

Winchester City Council Tree Strategy consultation draft 2007. Policy TPO 1

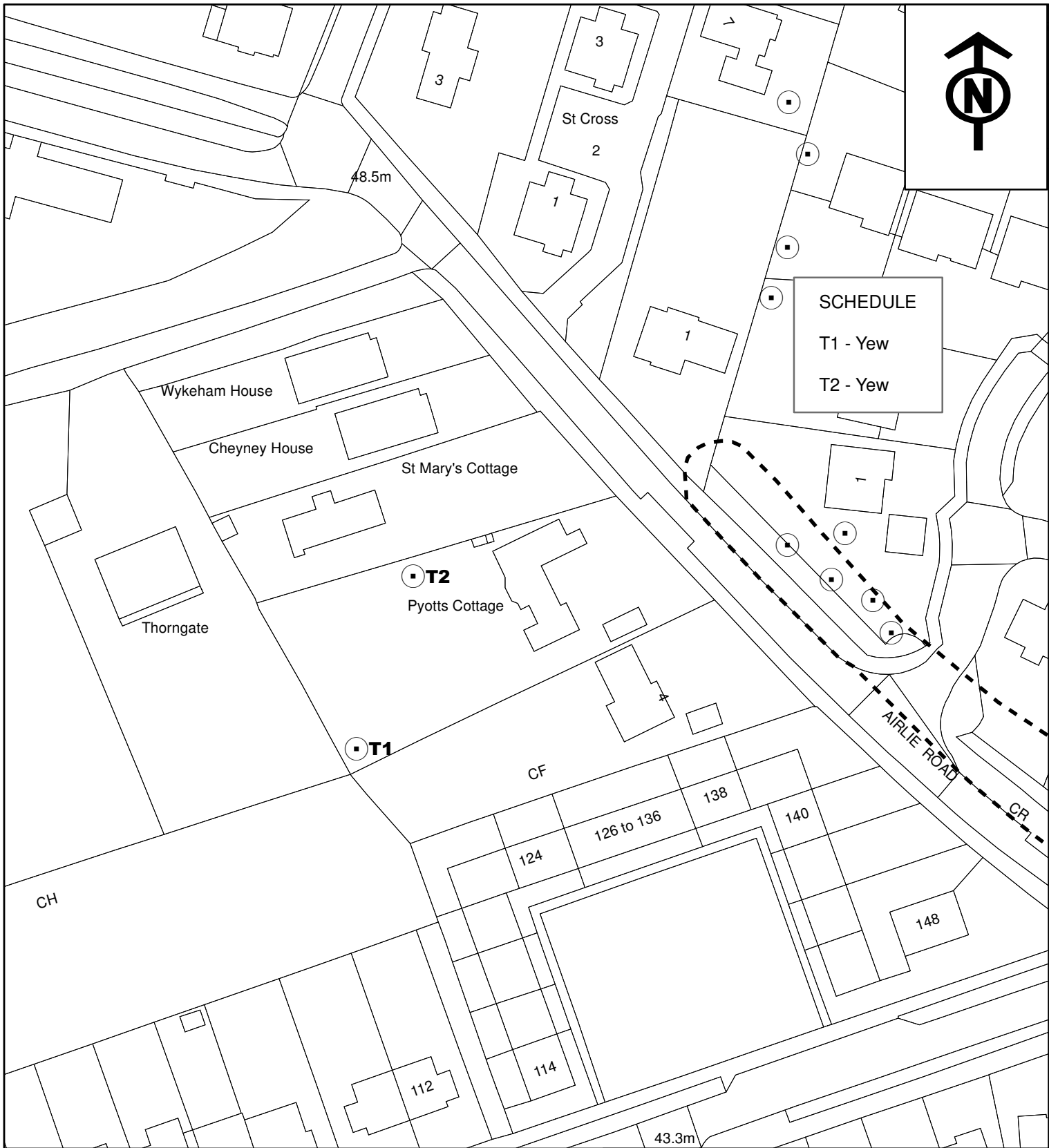
Tree Evaluation Method for Preservation Orders (TEMPO)

Tree Preservation Orders: a guide to the law and good practice

Winchester District Local Plan Review (July 2006)

APPENDICES:

Location Map



⋯ A1 ⋯ Area

TOWN AND COUNTRY PLANNING ACT 1990
Section 198 - 201

⋯ G1 ⋯ Group

Tree Preservation Order No. 1948

W1 Woodland

Location:

T1 Tree

Pyotts Cottage, Airlie Road, Winchester



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