

PLANNING DEVELOPMENT CONTROL COMMITTEE

30 JULY 2009

APPROVAL OF TREE WORKS NOTIFICATION ON TREES WITHIN THE
WINCHESTER CONSERVATION AREA

REPORT OF THE HEAD OF PLANNING MANAGEMENT

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

RECENT REFERENCES

None

EXECUTIVE SUMMARY:

To consider approval of a tree works notification 09/00874/TPC submitted by Councillor Lucille Thompson.

RECOMMENDATION:

That no objection be raised to the tree works notification for trees within the Winchester Conservation Area and that the works as applied for may proceed.

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DETAIL:

1. Introduction

- 1.1 This is a notification for works to trees within a Conservation Area. Such operations require that the Council is given 6 weeks notice of the intended works within which the Council must consider whether the trees merit a full TPO.
- 1.2 The matter is reported to committee because the notification has been submitted by Cllr Lucille Thompson. On 15 June 2009 the Council issued a decision under delegated powers stating that it had no objection to the proposed works. Officers had not realised that the applicant was a councillor. When this subsequently became apparent it was decided that the appropriate course of action was to recover the notification and to report it to committee. The Councillor confirmed that she would not undertake the tree works unless the matter had been considered by committee in line with the requirements of the constitution.
- 1.3 In addressing the notification there are three options open to the Council. The Council may find that the tree merits a TPO because of its amenity value and so makes an order. If the applicant then wanted to proceed with the works they would need to submit an application to the Council which would then be granted or refused. There is a right of appeal against a refusal of consent.
- 1.4 Alternatively, the Council may find that a TPO is not merited and allow the 6 week period of notice to expire at which point the works may go ahead.
- 1.5 Finally the Council may decide not to make a TPO and inform the applicant that the work can go ahead. In this case, as explained above, the Council did previously raise no objection to the works. Notwithstanding this, if the committee is concerned about the works to the trees, it can still resolve to make a TPO at this juncture in which case the applicant would need to apply to the Authority for consent. Such an application would be considered at a future committee.

2. The notification

- 2.1 Winchester City Council received an application from Cllr Lucille Thompson to carry out some tree work in the grounds of 85 Christchurch Road, Winchester.

- 2.2 The proposal is: “Reduce and thin 1no. Cotoneaster by 25%, Fell 1no. Bay, Fell 1no. Yew, Reduce 1no. Horse Chestnut and clear building by 3m.”
- 2.3 The arboricultural officer attended site to assess the trees and considered that the work was appropriate at this time and that no objection should be raised.
- 2.4 The arboricultural officer’s report stated that:
- *The trees are located in the grounds of 85 Christchurch Road, Winchester. Given their size and the boundary hedges and fences surrounding the property, the majority of the trees cannot be seen from very far away. The Horse Chestnut is much more visible and can be seen from the surrounding residential streets and properties.*
 - *The smaller trees to be removed or pruned are fairly insignificant. The Bay is growing very close to the building and could begin to cause problems, which therefore justifies its removal.*
 - *The reduction to the Horse Chestnut will not be detrimental to the health or visual amenity of the tree. The 3m clearance is considered essential in order to reduce the risk of future damage to property.*
 - *Given the fact that neither the health or visual amenity of this tree are under threat, the tree is not considered to be worthy of a Tree Preservation Order.*
 - *It is recommended that no objection be raised to this CA notification.*
- 2.5 In light of the assessment of the arboricultural officer it is recommended that no objection should be raised to the works. This would mean that they could therefore proceed without the further consent of the Council.

OTHER CONSIDERATIONS:

3 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.

4 RESOURCE IMPLICATIONS:

There are no financial implications for the City Council.

5 RISK MANAGEMENT ISSUES

There are no risk management issues for the City Council.

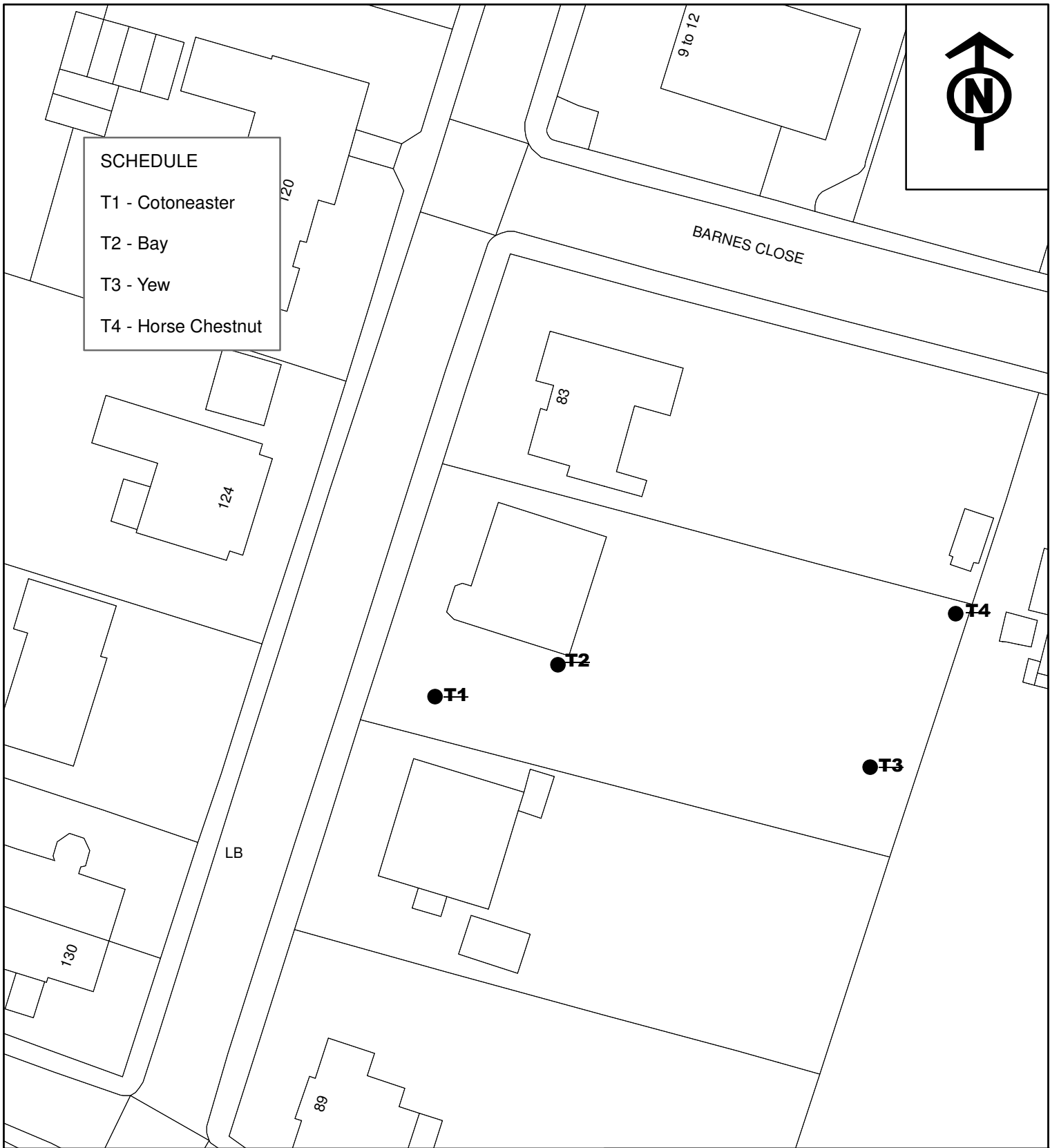
BACKGROUND DOCUMENTS:

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

APPENDICES: Map



••• A1 ••• Area

□ G1 □ Group

□ W1 □ Woodland

T1 ○ Tree

TOWN AND COUNTRY PLANNING ACT 1990
Section 198 - 201

Tree Works Application: 09/00874/TPC

Location:
85 Christchurch Road, Winchester



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City Council

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