

PLANNING DEVELOPMENT CONTROL COMMITTEE

10 December 2009

CONFIRMATION OF TREE PRESERVATION ORDER 1968 – LAND AT THE OLD
ESTATE OFFICE THE AVENUE SUTTON SCOTNEY HAMPSHIRE.

REPORT OF THE HEAD OF ENVIRONMENT

Contact Officer : Ivan Gurdler (Tel 01962 848 403) igurdler@winchester.gov.uk

RECENT REFERENCES

None

EXECUTIVE SUMMARY:

To consider confirmation of Tree Preservation Order 1968 to which objections have been raised.

RECOMMENDATION:

That having taken into consideration the representations received, Tree Preservation Order 1968 is confirmed.

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REPORT OF THE HEAD OF ENVIRONMENT

DETAIL:

1. TPO 1968 Land at the Old Estate Office, The Avenue, Sutton Scotney.
 - 1.1 Winchester City Council received a tree works notification to fell 1 x Horse Chestnut and sycamore that is growing in a raised area between the Old Estate Office and No1 Chestnut Cottages Oxford Road Sutton Scotney. Both Trees are growing approximately 1.5 metres from the rear wall of the Old Estate Office.
 - 1.2 As the site is in a Conservation Area, works cannot be carried out on trees without first giving six weeks notice to the local planning authority which then has six weeks to decide whether to make a Tree Preservation Order.
 - 1.3 The arboricultural officer attended site on the 11 June 2009. At the time of inspection, both trees were approximately 15 metres high. The Sycamore was growing up through the canopy of the Horse Chestnut with a small etiolated canopy. The Horse Chestnut had a canopy spread of 10 metres which extended over the roofs of the Old Estate Office and No 1 Chestnut Cottages.
 - 1.4 The Horse Chestnut is visible from the Oxford Road and is a significant feature in the local landscape. The arboricultural officer considered the removal of the Horse Chestnut would be detrimental to the visual amenity of the local landscape and was satisfied that the criteria for a tree preservation order to be served had been met.
 - 1.5 A TPO covering the Horse Chestnut was made and served on the 16 June 2009. The Order, if not confirmed will cease to protect the tree on 15 December 2009, i.e. six months after the Order was made.
 - 1.6 The grounds for making the order were: *“A significant tree that contributes to the visual amenity of the area.”*
2. Formal Objections
 - 2.1 Correspondence has been received from Charlie J. Lane Fox (the owner of the Old Estate Office) and Mr and Mrs Inglis of 2 Chestnut Cottages Oxford Road.
 - 2.2 There have been objections on the grounds that:

- *The Canopy significantly overhangs our water reed thatched roof and also overhangs our neighbour's tiled roof.*
- *Substantial damage is being caused to our water reed thatch (recently repaired) due to the amount of run off and falling foliage/ branches.*
- *Dave Harris of Tree Care Associates Ltd who submitted the felling application on our behalf was unimpressed with the trees health. (It is showing heavy decay near the base and bleeding canker exudates). He also commented on the unsuitability of a tree of such a size in such a small space squashed between 2 properties and impending safety issues attached to that.*
- *Tree Care Associates Ltd as well as finding large pruning wounds at approximately 1.3 metres above ground level, also found tight and compressing forks throughout the tree increasing the likelihood of weakness within the tree.*
- *The retention of the tree will create an ongoing safety issue. Whilst it is damaging both properties its health and strength are only to deteriorate. We accept that the tree contributes to the character of the area because of its visibility. But we hope that the Councillors will recognise that the tree has now outgrown its location and produces an increasing risk to both The Old Estate Office and 1 Chestnut Cottages.*
- *The tree grows over the top of the chimney. The fire place which uses this chimney is in constant use and there is a very good chance the tree could catch fire.*
- *The tree blocks out the light to our back garden and therefore spoils our enjoyment and use of the rear garden*
- *The tree is causing damage to the roof of our house, due to the lack of sun light, moss is growing all over the back of roof causing the tiles to become brittle and the guttering and drainage systems are being blocked by falling moss and leaves from the tree.*

3. Officer Comments

- 3.1 The Horse Chestnut has 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.
- 3.2 The tree scored highly given its visual amenity value and prominence in the landscape.
- 3.3 In response to the objection, the arboricultural officer's report stated that:
- *The tree is located between the two above properties. Given its current size the tree can be seen from a number of surrounding residential properties and the main road.*
 - *The Horse Chestnut Tree is an old mature tree that has been historically pollarded in the past and the routine maintenance has lapsed thus causing the above problems to the two properties.*
 - *The owner has been given permission to repollard the tree back to its original pollard points. This work was carried out the 23 November*

2009. The sycamore was removed for the betterment of the Horse Chestnut.

- *If the tree is regularly pollarded on a cyclical basis there should be no unforeseeable damage to the water reed thatch other than natural wear and tear that was associated with the tree in its previous full canopy.*
- *The canopy of the tree since being pollarded is below the chimney and roof of No 1 Chestnut Cottages. Therefore reduces the risk of the tree becoming a 'fire hazard'.*
- *Repollarding reduces the likelihood of failure at the pollard points and included bark union as their will be less weight of each branch and the 'sail area' effect is reduced also as it is below the roofline, this work minimises the risk of failure at the decay points as there is less weight and a reduced chance that branches will 'tear out' and cause damage or injury.*
- *Putting this tree back onto a regular pollard and maintenance cycle will extend the life of this tree for years to come.*
- *Repollarding will allow more sunlight into the garden and therefore it should limit the amount of moss on the roof as more sun can allow the roof to dry out.*

OTHER CONSIDERATIONS:

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

The Confirmation of this Tree Preservation Order will contribute to the High Quality Environment outcome of the Sustainable Community Strategy.

5. RESOURCE IMPLICATIONS:

There are no financial implications for the City Council.

6. RISK MANAGEMENT ISSUES

The proposal within the survey forms part of the risk mitigation to the Strategic Risk SR0016 "The District no longer a desirable place to live and work."

BACKGROUND DOCUMENTS:

Tree Preservation Order 1968 – Land at The Old Estate Office, The Avenue, Sutton Scotney.

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

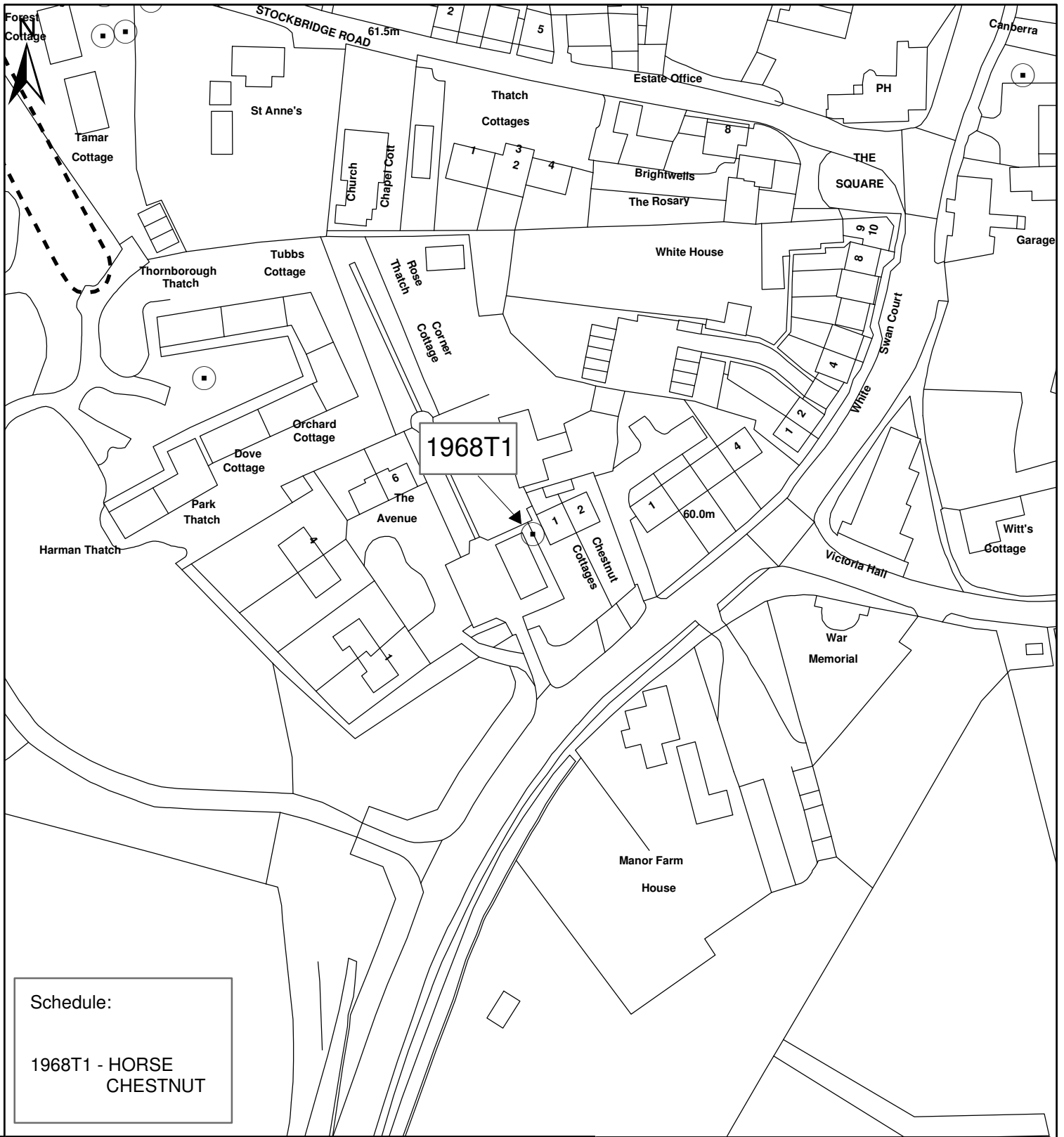
Tree Evaluation Method for Preservation Orders (TEMPO)

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

Winchester District Local Plan Review (July 2006)

APPENDICES:

Location map



Schedule:
1968T1 - HORSE CHESTNUT

••••• A1 ••••• Area

□ G1 □ Group

W1 Woodland

T1 ◉ Tree

OS Grid: 4628

Scale: 1:1250@ A4 Date: 12/06/09

TOWN AND COUNTRY PLANNING ACT 1990
Section 198 - 201

Tree Preservation Order No. 1968

Location: **The Old Estate Office**
The Avenue
Winchester Hill
SO21 3JN



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City Council

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