

PLANNING DEVELOPMENT CONTROL COMMITTEE

16 FEBRUARY 2010

CONFIRMATION OF TREE PRESERVATION ORDER 1970 – LAND AT 3 NEW
COTTAGES BIGHTON 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 the confirmation of Tree Preservation Order 1970 to which one letter of objection has been received.

RECOMMENDATION:

That, having taken into consideration the representations received, Tree Preservation Order 1970 be confirmed.

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DETAIL:

- 1 TPO 1970 Land at 3 New Cottages Bighton Hampshire
- 1.1 The Arboricultural Team were asked for their observations on a planning application with regard to the building of a new dwelling with car parking in the garden of 3 New Cottages, Bighton.
- 1.2 In the rear garden of 3 New Cottages there is a maturing multi stemmed sycamore tree that is visible from Bighton Road car park of the Village Hall and grounds, plus properties to the east of this site.
- 1.3 Under the canopy of the sycamore there is a septic tank and oil tank concrete base, and the proposal is to remove these items and then use the area as car parking for the new dwelling.
- 1.4 At the time that the planning application was submitted the Arboricultural Officer felt that the Arboricultural Impact Assessment, Arboricultural Work Method Statement and Tree Protection Plan attached to the planning application did not specify adequate protection for the tree, and therefore is contrary to Planning Policy DP4 and 1 App guidelines.
- 1.5 The Head of Planning Management instructed the Arboricultural Officer to protect the tree by means of serving a Tree Preservation Order.
- 1.6 A TPO was made and served on the 26th August 2009.
- 1.7 The reason for making the Order is that this tree is: *“A significant tree that contributes to the visual amenity of the area.”*
- 1.8 There is one letter of Objection to the Tree Preservation Order.
- 2 Formal Objection
- 2.1 Correspondence has been received from Bighton Parish Council as follows:
- 2.2 “Whilst we would not like this tree to be cut down, we are concerned that if the tree was left un-pruned it could cause us problems with the newly installed

play area and car park. The branches are already overhanging a gateway and entrance and the leaves in the autumn would make that corner very slippery and dangerous and difficult to clear. As part of our planning permission we have a landscape scheme for the play area. The overhanging branches would cause problems to any shrub / tree planted in that corner.”

3 Officer Comments

- 3.1 The Tree is of reasonable health with shoot extension and vigour normal for this species. Due to its size, location and dominance in the landscape it has high amenity value. It is located far enough away from the new proposed dwelling and will not be a nuisance to the proposed new dwelling. In the event that some pruning works are considered necessary, such as crown lifting, the tree would be able to cope with this.
- 3.2 Due to the proposed building activity around the tree there is a risk that the tree may be damaged during the building activity. The demolition of the septic tank and oil tank base are being carried out inside the root protection area of this tree. At some point in the construction process the protective fencing will have to be dismantled and repositioned to construct the car park and access to the site.
- 3.3 If Committee are minded to confirm this Tree Preservation Order it will ensure that the tree is fully protected from construction activities. It will also enable the Council to enforce tree protection measures as per BS5837, if there is a breach of planning condition.
- 3.4 The Arboricultural Officer has conferred with the Open Space Officer who has confirmed that the landscaping is around the outside of the new play area. The play area is a considerable distance away from the tree and therefore this tree will not have a detrimental effect on the new proposed landscaping.
- 3.5 The gateway and entrance that the tree branches currently overhang is the rear entrance to 3 New Cottages, and will be the gravel driveway to the new dwelling. As the drive is gravel, the Arboricultural Officer cannot foresee the leaves being a slip hazard on a loose gravel surface. Trees produce leaves as a natural process, and therefore it should not stop the Order being confirmed.

OTHER CONSIDERATIONS:

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

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

5 RESOURCE IMPLICATIONS:

- 5.1 There are no resource implications for the City Council.

6 RISK MANAGEMENT ISSUES

6.1 There are no risk management issues for the City Council.

BACKGROUND DOCUMENTS:

Tree Preservation Order 1970- Land at 3 New Cottages Bighton, Hampshire.

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

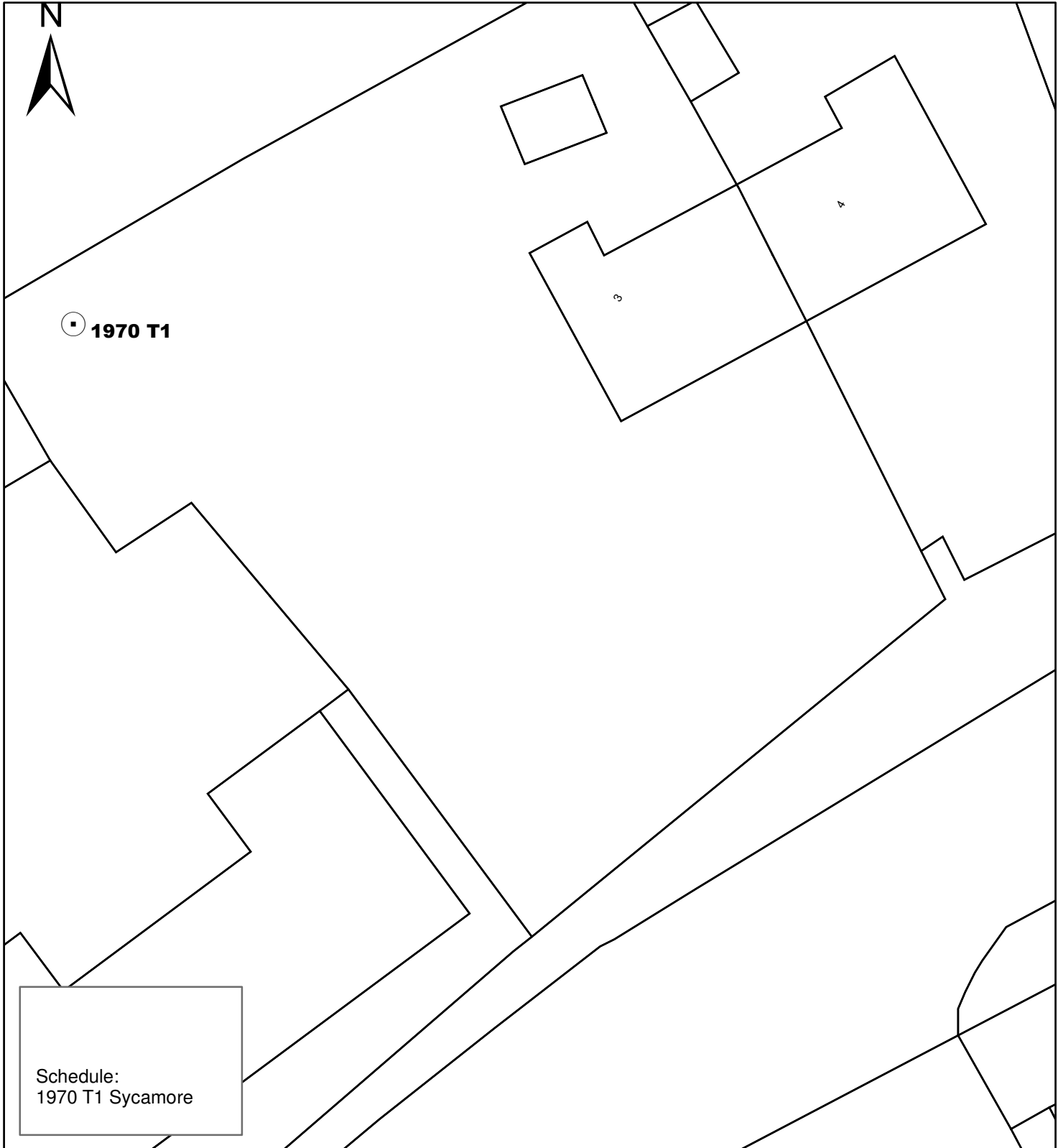
Tree Evaluation Method for Preservation Orders (TEMPO)

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

Winchester District Local Plan Review (July 2006)

APPENDICES:

Map



Schedule:
1970 T1 Sycamore

⋮ A1 ⋮ Area

⋮ G1 ⋮ Group

W1 Woodland

T1 Tree

Scale: 1:1250@ A4

OS Grid: 4624

TOWN AND COUNTRY PLANNING ACT 1990
Section 198 - 201

Tree Preservation Order No. 1921
1970

Location: **land adjacent to No3**
New Cottages
Bighton Road
Bighton

Date: 24/08/09



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City Council

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