

PLANNING DEVELOPMENT CONTROL COMMITTEE

22 APRIL 2010

CONFIRMATION OF TREE PRESERVATION ORDER 1994 – LAND AT
NETTLEBED HOUSE, MILL LANE, DROXFORD

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 1994 to which four objections have been raised.

RECOMMENDATION:

That, having taken into consideration the representations received, Tree Preservation Order 1994 be confirmed.

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DETAIL:

1. TPO 1994 – Land at Nettlebed House, Mill Lane, Droxford
 - 1.1 Winchester City Council received a tree works notification to remove this pine, which falls within the Droxford Conservation Area.
 - 1.2 The arboricultural officer attended site to assess the tree and considered that the removal of this tree would be detrimental to the visual amenity of the area and that the tree satisfied the criteria for a Tree Preservation Order (TPO) to be served.
 - 1.3 A TPO was made and served on 18 February 2010.
 - 1.4 The grounds for making the order were: *“A significant tree that contributes to the visual amenity of the area.”*

Formal Objections

- 1.5 Correspondence has been received from four people objecting to the TPO on the grounds that:
 - *the tree is in a very dangerous and unstable position – there are power cables, a 14th century listed cottage and a lane beneath the canopy.*
 - *a branch fell onto the overhead power cables in January which caused cut the power to Mill Lane for 27hours - there is concern that this will happen again in the future.*
 - *if someone had been standing at the position of the branch failure, it would have resulted in fatality.*
 - *Scots Pine are not specifically native to Hampshire and a generally located in Scotland and the northern part of the country.*

Officer Comments

- 1.6 The tree 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.
- 1.7  tree scored highly given its visual amenity value and prominence in the landscape.

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

- *The tree is located on the bank to the front of Nettlebed House, Mill Lane. Given its current size the tree is in full public view. It can be seen from a number of surrounding residential properties and the main road.*
- *The concerns that the objectors have raised have been taken into account and seriously considered.*
- *The event of the 5 January was unfortunate, and caused by severe weather conditions. The branch failed due to the excess weight of the snow resting on the vegetation.*
- *If trees are removed because of what could happen in severe weather conditions, there would be no trees left. All trees have the potential to fail, and without sound arboricultural reasons, felling is not the correct course of action to take. It would be considered inappropriate to set a precedent with this case.*
- *At the time of inspection, the tree was found to be in reasonable overall condition and there was certainly no reason to suggest that the tree was at all imminently dangerous.*
- *Using the Quantified Tree Risk Assessment system, this tree was assessed and given a score which gives no reason for concern.*

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 confirmation of this Tree Preservation Order 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 1990 – Land at St Francis, 9B Ranelagh Road, Winchester

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

Tree Evaluation Method for Preservation Orders (TEMPO)

Quantified Tree Risk Assessment (QTRA)

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

Winchester District Local Plan Review (July 2006)

APPENDICES:

Map

