

PLANNING COMMITTEE

26 March 2015

CONFIRMATION OF TREE PRESERVATION ORDER 2133 – FOULIS COTTAGE,
MAIN ROAD, FISHERS POND

REPORT OF THE HEAD OF LANDSCAPE AND OPEN SPACES

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 2133, to which one objection has been raised.

RECOMMENDATION:

That, having taken into consideration the representation received, Tree Preservation Order 2133 be confirmed.

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DETAIL:

- 1.1 The Council received a request to protect trees on the above site that were at risk of removal from a new owner.
- 1.2 The Tree Officer attended the site to assess the trees and determined:
 - That a number of the trees onsite were highly visible from the public domain and provided significant visual amenity.
 - Their removal would have a detrimental impact on local amenity.
- 1.3 In the circumstances therefore it was considered expedient to make a Tree Preservation Order (TPO), because the trees were significant and contributed to the local amenity of the area.
- 1.4 TPO 2109 was served as an area order on 1 May 2014.
- 1.5 An objection was received on this order from the then owner of the site. The tree officer then visited the site to identify specific trees to include in the order with a view of satisfying the then owner of the site so the objection could be withdrawn. At this time, the site was sold so it was considered appropriate to allow this order to lapse and serve a new order with the new trees to allow the new owners to comment on the order.
- 1.6 TPO 2133 was served on 24 October 2014.

Formal Objections

- 1.7 One objection to the TPO has been received from the owner of the site
- 1.8 The objection stated:
 - The land has been left for some years and is in need of attention.
 - T2 is leaning and concerns are raised over its stability and safety.
 - T6, T7, T8 and T9 are adjacent to the main road and concerns are raised over their stability and potential impact on the highway.
 - T9 is close to the property and will require pruning.
 - T4 is particularly large and in a location intended for enhancing the small orchard. It is intended for this tree to be removed.
 - The objector has also requested a full written report from a qualified arboriculturalist to ascertain the safety and condition of all the trees under this order.

Officer Comments

- 1.9 In response to the public representation, the Tree Officer advises that:
- The trees are highly visible from the public domain and make a significant contribution to local amenity.
 - It is the owner's responsibility to ascertain the safety and condition of the trees onsite and should any works become necessary, an application may be submitted to the Council. It is not the Council's intention to prevent necessary works from being carried out
- 1.10 Notwithstanding the objection, it is recommended that Tree Preservation Order 2133 is confirmed.

OTHER CONSIDERATIONS:

2. COMMUNITY STRATEGY AND PORTFOLIO PLANS (RELEVANCE TO):

The confirmation of this Tree Preservation Order will contribute to the High Quality Environment outcome of the 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:

TPO 2133 – Foulis Cottage, Main Road, Fishers Pond

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

Tree Evaluation Method for Preservation Orders (TEMPO)

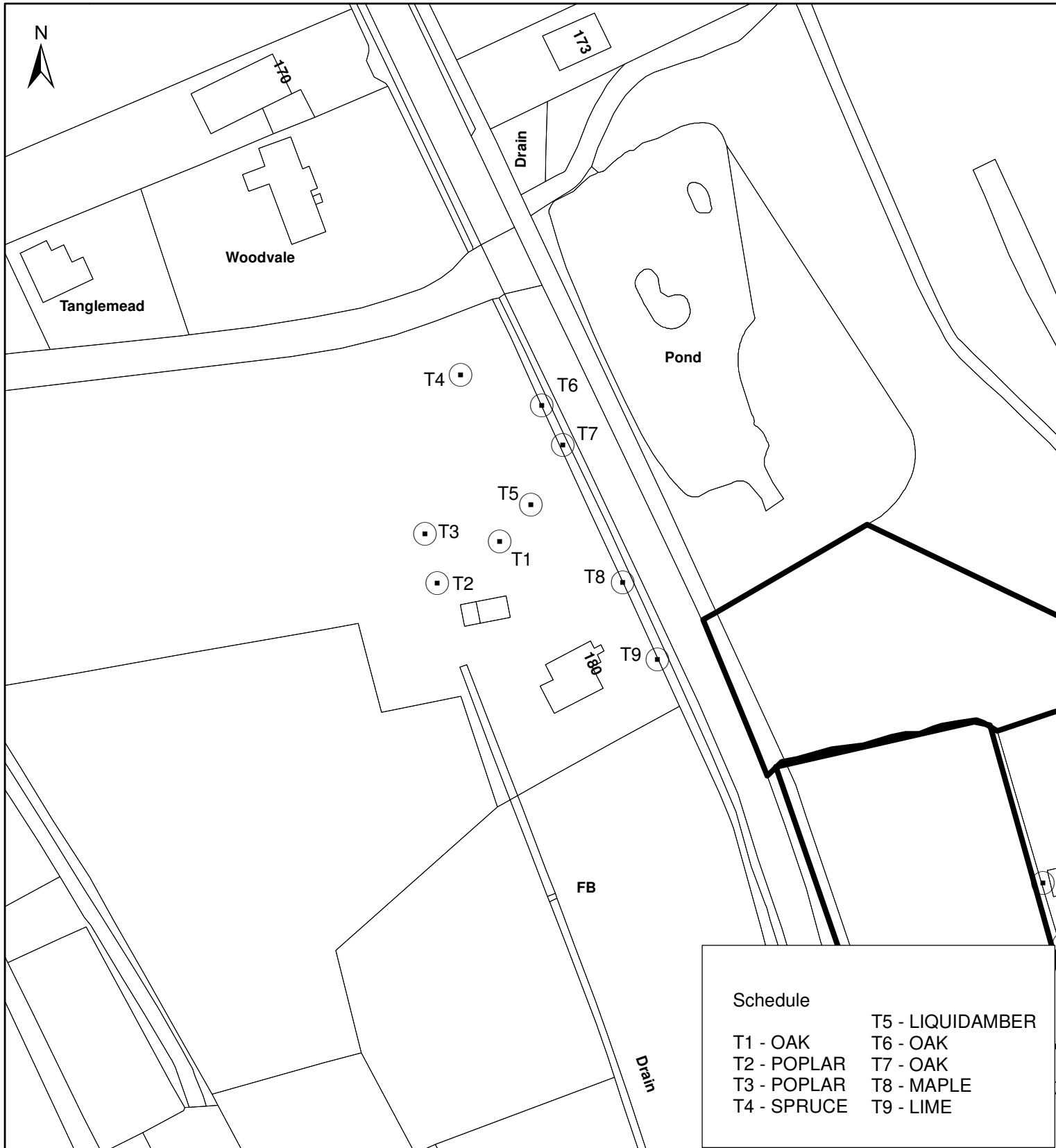
Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas

Winchester District Local Plan Review (July 2006)

Winchester District Local Plan Part 1 (March 2013)

APPENDICES:

Map



Schedule	
T1 - OAK	T5 - LIQUIDAMBER
T2 - POPLAR	T6 - OAK
T3 - POPLAR	T7 - OAK
T4 - SPRUCE	T8 - MAPLE
	T9 - LIME

A1 Area

G1 Group

W1 Woodland

T1 Tree

TOWN AND COUNTRY PLANNING ACT 1990
Section 198 - 201

Tree Preservation Order No. 2133

Location: **Foulis Cottage**
180 Main Road, Fishers Pond



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OS Grid: 4821 Scale: 1:1,000 Date: 22nd October 2014