

PLANNING COMMITTEE

20 AUGUST 2015

CONFIRMATION OF TREE PRESERVATION ORDER 2150 - LAND TO THE REAR  
OF 37-75 MAIN ROAD COLDEN COMMON.

REPORT OF THE HEAD OF LANDSCAPE AND OPEN SPACES

Contact Officer : Ivan Gurdler (Tel 01962 848403) [igurdler@winchester.gov.uk](mailto:igurdler@winchester.gov.uk)

RECENT REFERENCES

None

EXECUTIVE SUMMARY:

To consider confirmation of Tree Preservation Order 2150 to which four letters of objection have been received.

RECOMMENDATION:

That having taken into consideration the representations received, Tree Preservation Order 2150 is confirmed.

## PLANNING COMMITTEE

20 August 2015

### CONFIRMATION OF TREE PRESERVATION ORDER 2150- LAND TO THE REAR OF 37-75 MAIN ROAD COLDEN COMMON.

#### REPORT OF THE HEAD OF LANDSCAPE AND OPEN SPACES

##### DETAIL:

- 1.1 This matter comes to Planning Committee because four letters of objection have been received.
- 1.2 It was recommended by the Council's Landscape Architect and Strategic Planning team that a Tree Preservation Order be served to protect the trees to the rear of 37-75 Main Road, Colden Common. This is because a possible change in the settlement area boundary line may put the trees on this site under threat from felling.
- 1.3 The Arboricultural Officer visited the site on 15 May 2015 and a provisional Tree Preservation Order was made on 20 May 2015, which will expire on 19 November 2015 unless confirmed.

##### Summary of Objection letters

- 1.4 The placing of a Tree Preservation Order on T2 & T3 will add bureaucracy and complicate mortgage/ home insurance, without any benefit to the property owners.
- 1.5 Adding TPOs to these already cared and loved trees would be of no value and only serve to cause added barriers and complications to necessary tree work already being carried out. The TPO will add work load to us and the Council.
- 1.6 The current tree owners have been undertaking tree works to T3 with no issues, the current situation works well. The tree is not under threat.
- 1.7 The Oak tree to the rear of 49 Main Road (T1) is not a great specimen, and is covered in Ivy. The ivy will be removed but there is no guarantee that the tree will survive.
- 1.8 The Oak tree to the front of 75 Main Road is not a good example of its species; the Oak on the rear boundary of 69-71 Main Road is much better example and has been left off the order.

##### Arboricultural Officer's Response:

- 1.9 Where trees are under threat from development, the Local Planning Authority has a statutory duty to consider the protection of trees in accordance with Section 197 of the Town & Country Planning Act 1990.

- 1.10 The trees to the rear of 37-75 Main Road and the one Oak to the front of 73 Main Road are visible from Main Road, from the sports field opposite and from the flats in Orchard Close giving them all high public visual amenity value.
- 1.11 Planning Policy Guidance “Tree Preservation Orders and trees in conservation areas” states that “Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public”.
- 1.12 The grounds for making the TPO are therefore in accordance with established guidance. Trees T1-T11 are significant trees which contribute to local amenity.
- 1.13 Trees protected by Tree Preservation Orders should not stop essential tree works to protected trees. The applicant has a right of appeal to the planning inspector in the event that the Local Planning Authority refuses consent.
- 1.14 Winchester District Plan Part Joint Core Strategy Policy CP20 states: The local planning authority will give particular emphasis to conserving local distinctiveness in terms of characteristic materials, trees, built form and layout, tranquillity, sense of place and setting.
- 1.15 Emerging detailed policy in Local Plan Part 2 DM24 states: Development should not result in the loss or deterioration of ancient woodlands, important hedges, special trees, distinctive ground flora and the space required to support them in the long term.
- 1.16 The area to the front of T1 has been cleared for development. The health of the tree has been affected by this works. The tree is recovering and the Tree Preservation Order will provide it with future protection. The removal of the ivy will not have a detrimental effect on the health of the tree, if removed in accordance with recognised good arboricultural practices.
- 1.17 The Oak to the front of 75 Main Road is a mature specimen that has suffered inappropriate surgery in the past. The tree has responded by producing new growth. The tree contributes to the continuous tree line next to the highway and contributes to the visual public amenity.
- 1.18 The Arboricultural officer has been unable to access the rear of 69-71 Main Road to view the Oak tree to assess whether it is suitable for protection by a Tree Preservation Order.

#### OTHER CONSIDERATIONS:

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

The confirmation of this TPO will contribute to the High Quality Environment outcome of the Sustainable Community Strategy by maintaining the environmental quality and character of the area.

3. RESOURCE IMPLICATIONS:

There are no financial implications for the Council.

4. RISK MANAGEMENT ISSUES

There are no risks to the Council. .

BACKGROUND DOCUMENTS:

Winchester District Plan (2006)

Winchester District Local Plan Part 1 Joint Core Strategy

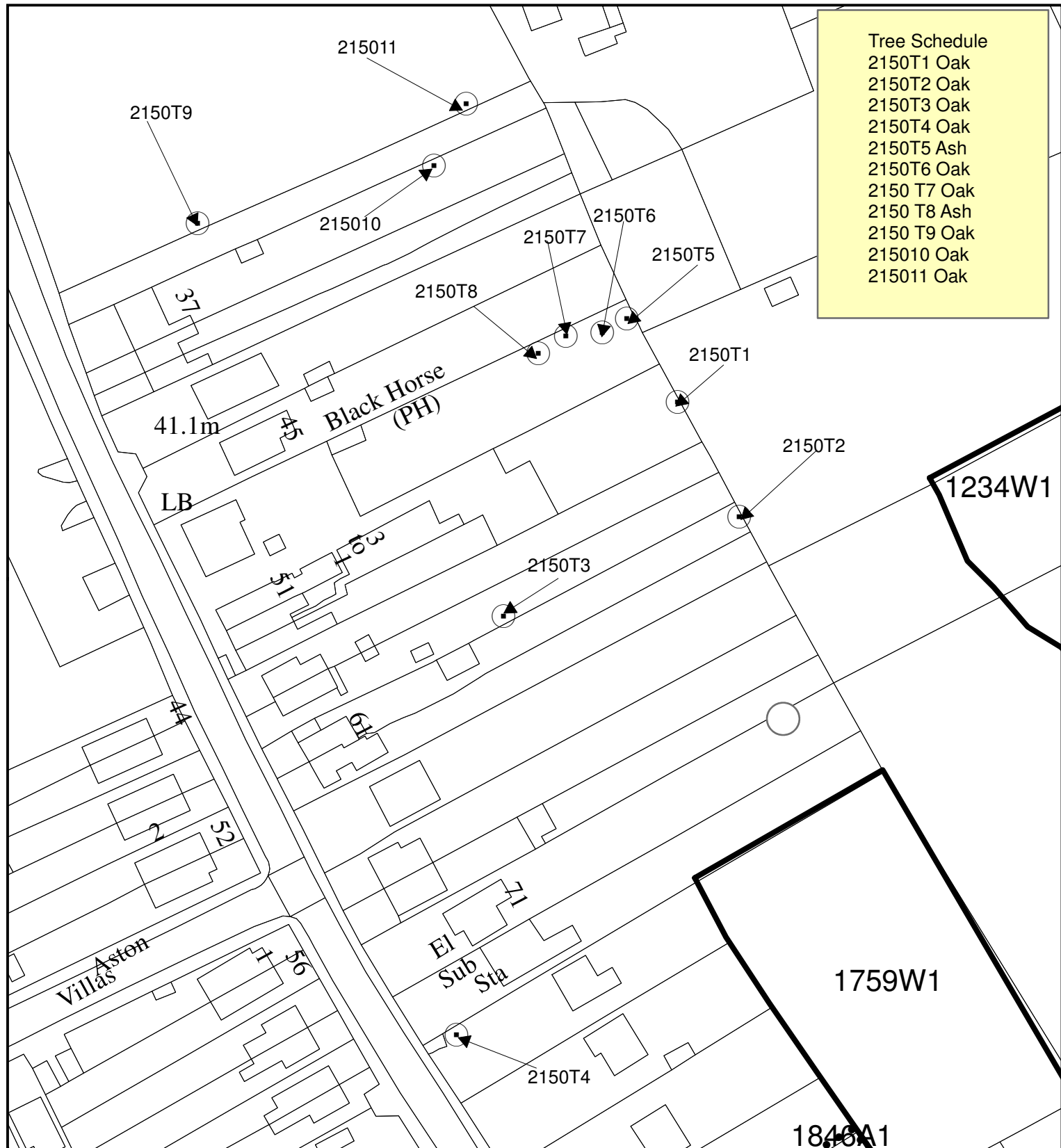
Winchester District Local Plan Part 2 Development Management and site Allocations.

Planning Practice Guidance- Tree Preservation Orders and trees in conservation areas.

APPENDICES:

Appendix 1 Map.

.



Tree Schedule	
2150T1	Oak
2150T2	Oak
2150T3	Oak
2150T4	Oak
2150T5	Ash
2150T6	Oak
2150 T7	Oak
2150 T8	Ash
2150 T9	Oak
2150T10	Oak
2150T11	Oak

- A1 Area
- G1 Group
- W1 Woodland
- T1 Tree

**TOWN AND COUNTRY PLANNING ACT 1990**  
Section 198 - 201

Tree Preservation Order No. 2150

Location:  
Land to the rear of 37-75  
Main Road  
Colden Common  
Date :18th May 2015



Director of Operations  
Winchester City Council  
POBox 497, City Offices  
Colebrook Street  
Winchester  
Hampshire  
SO23 9DD

Telephone 01962 840 222  
Fax 01962 841 365