

PLANNING COMMITTEE

18 August 2016

CONFIRMATION OF TREE PRESERVATION ORDER 2164 - LAND AT
TRAWSCOED RARERIDGE LANE BISHOPS WALTHAM

REPORT OF THE HEAD OF LANDSCAPE AND OPEN SPACES

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

RECENT REFERENCES

None.

EXECUTIVE SUMMARY:

To consider confirmation of Tree Preservation Order 2164 to which 3 letters of objection have been received.

RECOMMENDATION:

That, having taken into consideration the representations received, Tree Preservation Order 2164 be confirmed.

PLANNING COMMITTEE

18 AUGUST 2016

CONFIRMATION OF TREE PRESERVATION ORDER 2164 - LAND AT TRAWSCOED, RARERIDGE LANE, BISHOPS WALTHAM

REPORT OF THE HEAD OF LANDSCAPE AND OPEN SPACES

DETAIL:

- 1.1 This matter comes to Planning Committee because 3 letters of objection have been received.
- 1.2 The Council received a telephone call informing the Arboricultural Officer that a large Wellingtonia Pine located in the front garden of a property called Trawscoed, was going to be felled and requested that a Tree Preservation Order is served to stop the felling of it.
- 1.3 The Arboricultural Officer visited the site on 26 February 2016 and a provisional Tree Preservation Order was made on 2 March 2016, which will expire on 1 September 2016 unless it is confirmed.

SUMMARY OF OBJECTION LETTERS:

- 1.4 The Wellingtonia is in poor condition with distorted growth and several branches lacking stability. The top of the tree was removed to arrest its growth creating an unattractive tree. The tree is low quality and does not contribute towards the amenity or character of the area.
- 1.5 The tree drops dead debris on to the drive of the property, the neighbouring property and the footway in Rareridge Lane.
- 1.6 The tree has a number of defects and has overall sparse leafing or extensive deadwood.
- 1.7 The tree spreads over car parking spaces and it is a constant worry that one of the cars will be damaged.
- 1.8 The roots of the tree are damaging the neighbour's drive and causing an uneven footway surface in Rareridge Lane.
- 1.9 Our land under and next to the tree is blighted through lack of light and water.
- 1.10 The large size of the tree and its close proximity to ours and our neighbour's house is potentially dangerous due to the poor condition of the tree.

- 1.11 In 2009 Ben Abbott of 'Sapling' indicated that the tree was of poor condition and was rated as a C class tree (those of low quality and value, trees with very limited conservation or cultural benefits, trees not qualifying in higher categories).
- 1.12 A number of dead branches fell on to our property during the winter storms.

ARBORICULTURAL OFFICER'S RESPONSE:

- 1.13 The Wellington Pine is a large mature tree and is a substantial and highly visible feature in the local landscape from the public highway to the front of the property in Rareridge Lane and from the east in Hoe Lane. Its size and location gives it high visual public amenity value, principally as part of a group of similar trees in the neighbouring gardens that form a distinctive feature in the local landscape. The tree is in keeping with the local landscape as evergreen coniferous trees and pines are the dominant tree species within the local area.
- 1.14 The tree is of reasonable health with an even distribution of active twig bud and seed formation throughout the canopy, demonstrating that the tree has sufficient energy levels to continue its biological functions for many years to come. At the time of inspection no obvious fungal decay pathogens were noted.
- 1.15 It is estimated that the tree is approximately 120 years old. Many Wellingtonia live in excess of 3000 years.
- 1.16 Due to poor historic pruning practices, the tree has produced four new secondary stems from the old pruning point and has now grown back to its normal conical shape, thereby affirming that the tree has sufficient energy levels to survive.
- 1.17 A visual inspection from ground level confirms that there is compensatory growth (wood that forms in place of normal wood as a response to gravity) at the base of the new stems to support their weight.
- 1.18 The Arboricultural Officer has advised the tree owner that the deadwood within the tree requires removing. This will abate the risk of damage to his property and neighbouring properties. Permission from the Local Authority is not required for the removal of deadwood.
- 1.19 The deadwood is caused by the dense foliage of the upper canopy of the tree, obstructing light to the lower canopy and causing the internal lower branches to die. This is a natural biological process carried out by the tree to discard material it does not require.
- 1.20 Following letters of objection to the TPO the Arboricultural Officer has inspected the cracks and the alleged damage to the neighbour's drive

and could not find any obvious evidence to prove that tree roots were the cause of the crack in the drive.

- 1.21 The tree report produced by Ben Abbott is dated 2009, and is a BS 5837 report for the protection and retention of the tree whilst construction of the garage in the neighbouring property is carried out. A BS 5837 report is not a visual tree inspection and is not appropriate or designed for tree inspection. This report is out of date and therefore does not assist in forming a balanced decision on the current health and structural condition of the tree.
- 1.22 Trees are living, dynamic structures and as such their condition and health may change in a short period of time, particularly in relation to changes in their immediate environment and circumstances. Tree(s) should be re-surveyed on a regular basis so that any change in condition can be identified. An appropriate time period between surveys is between 3 and 5 years depending on the species, condition of the tree(s), their maturity/size and the target(s).
- 1.23 The proposed removal of the Wellingtonia Pine will have a detrimental effect on visual public amenity. The proposed planting of a new tree will take many years to mature to provide the same level of visual public amenity that the Wellingtonia Pine currently provides.
- 1.24 The Arboricultural Officer has asked for more information to ascertain the structural condition of the tree, but the tree owner has refused to supply any further information in regard to this. Commissioning of a report on the condition of the tree is a reasonable and prudent measure that will eliminate any doubt as to the structural condition of the tree and what management of it is appropriate. Set against the amenity value of the tree which is a significant local landscape feature, the information already supplied does not provide sufficient justification and it is not clear that felling is the most appropriate and only reasonable remedy.
- 1.25 The view of the Secretary of State is, in general terms, that the higher the amenity value of the tree or woodland and the greater any negative impact of proposed works on amenity, the stronger the reasons needed before consent is granted.
- 1.26 In addition, the view of the Secretary of State is that TPOs 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. Before authorities make or confirm an order, they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.
- 1.27 The grounds for making the TPO is that a significant tree that contributes to local amenity is under threat of felling without sufficient arboricultural justification and therefore the grounds for making the

TPO are in accordance with established guidelines and regulations. A Tree Evaluation Method for Preservation Orders (TEMPO) assessment of the tree has been carried out and has given the tree a score of 17 points which means that the tree definitely merits a TPO.

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 by maintaining the environmental quality and character of the area.

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 2164 - Land at Trawscoed, Rareridge Lane, Bishops Waltham.

TEMPO.

Winchester District Local Plan Review (July 2006).

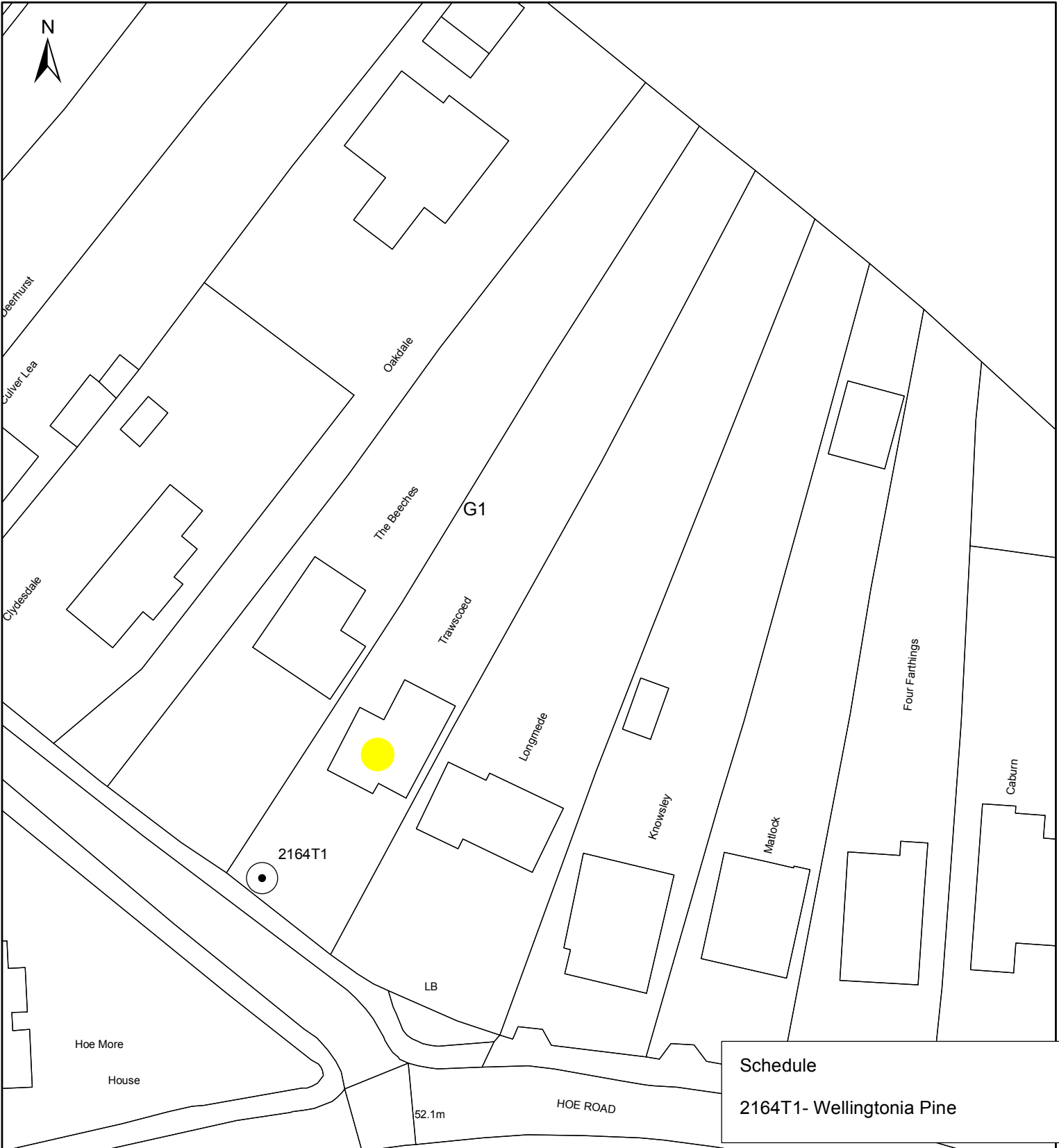
Winchester District Local Plan Part 1 (March 2013).

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.



Schedule
2164T1- Wellingtonia Pine

 A1 Area

 G1 Group

 W1 Woodland

 T1 Tree

TOWN AND COUNTRY PLANNING ACT 1990
Section 198 - 201

Tree Preservation Order No. 2164

Location: **Trawscoed, Rareridge Lane**
Bishops Waltham
SO32 1DX



Winchester
City Council

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

Telephone 01962 840 222
Fax 01962 841 365

OS Grid: 5711 Scale: 1:1,000 Date: 1st March 2016