

PLANNING COMMITTEE

18 SEPTEMBER 2014

CONFIRMATION OF TREE PRESERVATION ORDER 2107 – GREEN LAWNS,  
VICARAGE LANE, SWANMORE

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 2107, to which one objection has been raised.

RECOMMENDATION:

That, having taken into consideration the representations received, Tree Preservation Order 2107 be confirmed with a modification (i.e. with an amended plan to accurately show the location of the tree).

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DETAIL:

1. TPO 2107 – GREEN LAWNS, VICARAGE LANE, SWANMORE

- 1.1 The tree in question is located to the rear of Green Lawns.
- 1.2 It was brought to the attention of the Tree Officer that the neighbour of the above property had already carried out some significant pruning works to the tree and was planning on carrying out some further works.
- 1.3 The Tree Officer attended the site to assess the tree and determined:
- That the Oak tree onsite was visible from the public domain and provided significant visual amenity.
  - Further pruning work would have a detrimental impact on the health and visual amenity of the tree.
- 1.4 Thus, the criteria for a Tree Preservation Order were met and TPO 2107 was served on 27 March 2014.

The grounds for making the order were that the tree was: **“Contributing to the character and amenity of the area.”**

- 1.5 Four representations have been received in response to this TPO.

Letter of Support

- 1.6 Two letters of support for the TPO have been received from the land owner and a nearby land owner.
- 1.7 The representations stated that the tree is a particularly beautiful example of an ancient Oak enjoyed by many neighbouring properties. It was present long before most of the surrounding houses.

Comment only

- 1.8 One letter has been received from a nearby land owner.
- 1.9 The representation stated that the TPO shows the tree plotted in the wrong location.

### Formal Objection

1.10 One objection to the TPO has been received from a neighbouring land owner.

1.11 The objection stated:

- The tree covers a large area of the neighbouring garden as the previous owner did not maintain it.
- Some branches had to be pruned. The work carried out was done so by a respected and responsible tree surgeon.
- Should the property need to be sold, the presence of this TPO will put off prospective buyers.
- The TPO shows the tree plotted in the wrong location.

### Officer Comments

1.12 In response to the public representation, the Tree Officer has observed that:

- The tree is visible from the public domain and is appreciated by a number of local residents. It makes a significant contribution to the local amenity.
- The tree is located some distance from the objector's property at the end of a reasonably long garden.
- The work carried out to the tree was considered quite severe and any further work would have a negative impact on the long term health and visual amenity of the tree.
- The impact that a TPO would have on the sale of a property is not a consideration that the Council would take into account.
- Although the tree may be located in a slightly different location to that shown on the TPO, the tree is clearly identifiable from the plan. However, an amended plan is proposed.

1.13 Notwithstanding the objection, in light of the assessment of the Tree Officer it is recommended that the Tree Preservation Order 2107 is confirmed with a modification (i.e. with an amended plan accurately showing the location of the tree).

### OTHER CONSIDERATIONS:

#### 2. SUSTAINABLE COMMUNITY STRATEGY AND PORTFOLIO PLANS (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:

TPO 2107 – GREEN LAWNS, VICARAGE LANE, SWANMORE

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

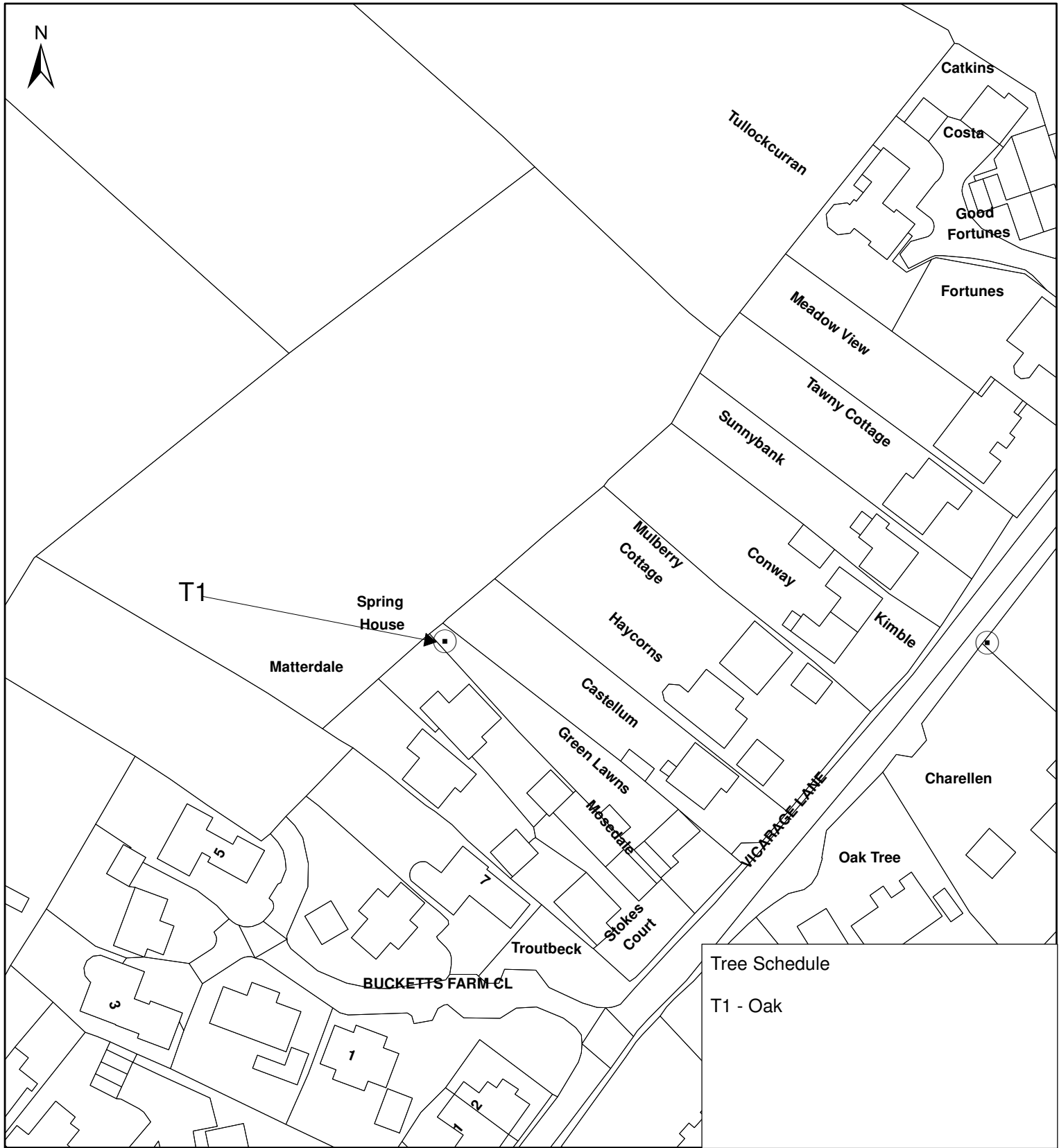
Tree Evaluation Method for Preservation Orders (TEMPO)

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

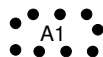
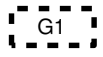
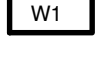

Winchester District Local Plan Review (July 2006)

#### APPENDICES:

Map



Tree Schedule  
 T1 - Oak

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

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

**Tree Preservation Order No. 2107**

Location: **Green Lawns,  
 Vicarage Lane,  
 Swanmore,  
 Southampton  
 SO32 2PW**

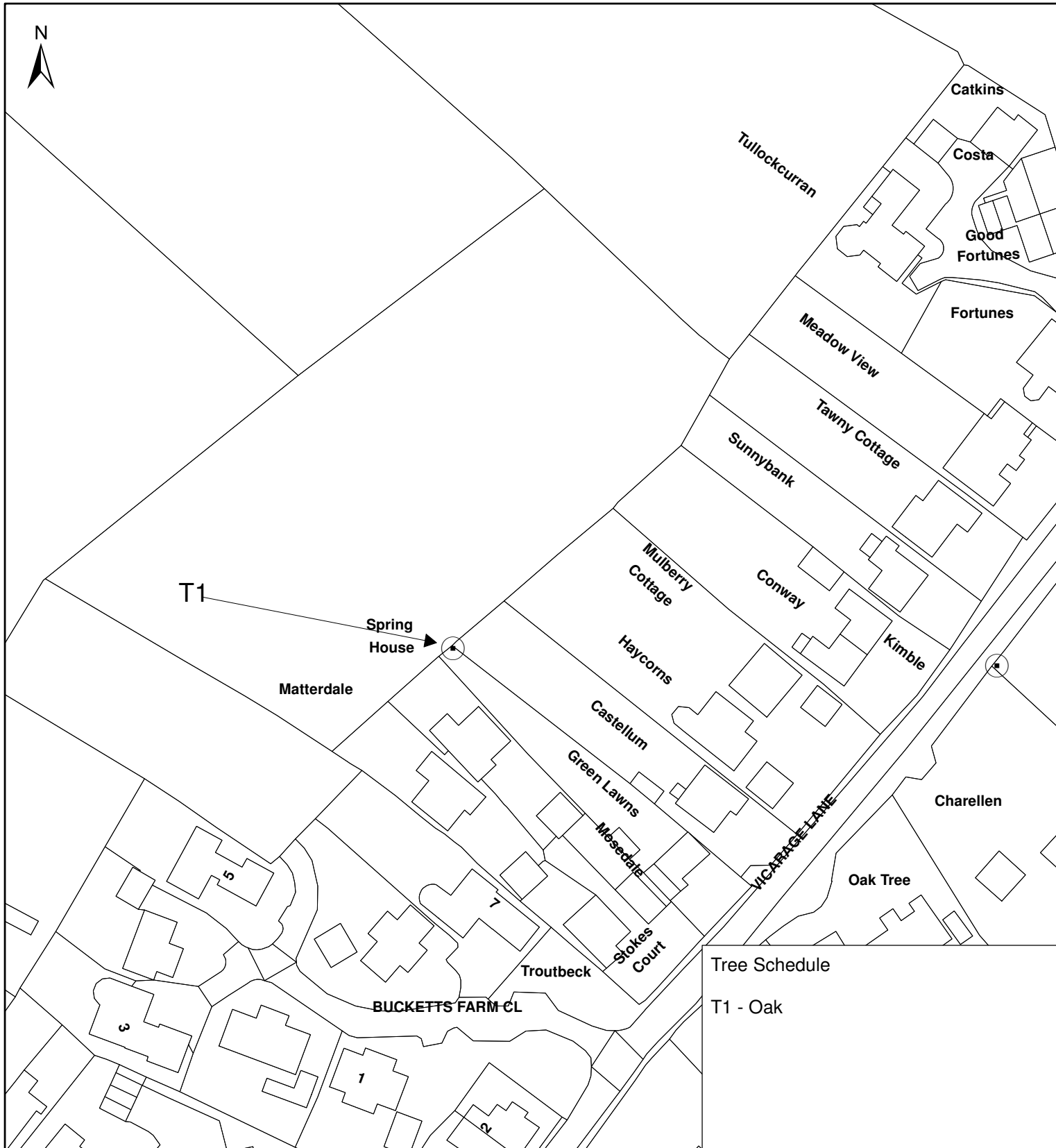
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**Winchester**  
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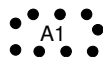
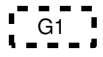
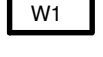

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Tree Schedule

T1 - Oak

-  A1 Area
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-  W1 Woodland
-  T1 Tree

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

**Tree Preservation Order No. 2107**

Location: **Green Lawns,  
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Swanmore,  
Southampton  
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OS Grid: 5716

Scale: 1:1,000 @ A4

Date: 9th September 2014



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