

REPORT TITLE: CONFIRMATION OF TREE PRESERVATION ORDER 2300 -
LAND AT GRAVEL PIT COPSE, TITCHFIELD LANE, WICKHAM

DATE OF MEETING 21ST OCTOBER 2021

REPORT OF CABINET MEMBER: COUNCILLOR RUSSELL GORDON-SMITH,
CABINET MEMBER FOR BUILT ENVIRONMENT.

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WARD: SOUTHWICK & WICKHAM

PURPOSE

To consider confirmation of Tree Preservation Order 2300 to which one letter of objection has been received.

RECOMMENDATIONS:

That having taken into consideration the representations received, Tree Preservation Order 2300 be confirmed.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

- 1.1 Tackling the Climate Emergency and Creating a Greener District
- 1.2 Trees represent an important environmental, economic and amenity resource within the built and natural environment. They are recognised within the England Forestry Strategy (1998), SW Regional Forestry Framework (2005) and national and regional Biodiversity Action Plans
- 1.3 Mature trees such as this woodland at Gravel Pit Copse, play a key role in helping to tackle the climate emergency and create a greener district. They directly remove carbon dioxide from the atmosphere and convert this to stored carbon. Additionally they are important for biodiversity both in their own right and as a habitat for other species. Therefore, the protection of the Copse will contribute towards the council's objectives of reducing the effects of global warming and carbon emissions as well as supporting the Biodiversity Action Plan.
- 1.4 The climate crisis remains a significant, long term challenge in the coming years and decades, and there is a growing ecological crisis too. Winchester City Council has committed to tackle these emergencies by producing a carbon neutrality action plan, biodiversity action plan and a tree management plan to ensure the district is handed across to future generations in a better condition than it is currently. One way to achieve the council's objectives as set out in these policies is to safeguard trees that are identified as worthy of protection.
- 1.5 Living Well
- 1.6 The protection of these trees supports the priority of "Living Well" by helping to enhance the street view and open spaces through their high amenity and aesthetic value, thereby supporting good mental and physical health for residents of all ages.

2 FINANCIAL IMPLICATIONS

- 2.1 There are no financial implications for the City Council at this stage. Compensation is potentially payable only where sufficient evidence has been provided by an applicant to support an application to carry out works to a protected tree and where that application is refused.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 This report is in line with the council's legal procedures in relation to making and confirming TPO's.

4 WORKFORCE IMPLICATIONS

4.1 There are sufficient resources to respond to any works arising from the confirmation of this TPO.

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None

6 CONSULTATION AND COMMUNICATION

6.1 On serving of the Tree Preservation Order (TPO), the landowner and immediate neighbours were notified and allowed 28 days to object.

6.2 One letter of objection was received to this TPO.

7.0 ENVIRONMENTAL CONSIDERATIONS

7.1 Trees contribute a key role in helping to tackle the climate emergency and creating a greener district. They not only directly remove carbon dioxide from the atmosphere and provide us with oxygen but also deliver many other benefits including:-

- Providing visual public amenity, softening or complementing the effect of the built environment
- Displaying seasonal changes and providing opportunities for biodiversity
- Making places more comfortable in noticeable ways by contributing to screening and shade, reducing wind speed and turbulence, reduce flooding by intercepting snow and rainfall, and reducing sun glare.

7.2 Trees are also a key element of the green infrastructure network, contributing to urban cooling and providing micro climate effects which help reduce energy demands on buildings. They therefore represent a key resource that can significantly contribute to climate change adaptation

8. EQUALITY IMPACT ASSESSEMENT

8.1 None

9. DATA PROTECTION IMPACT ASSESSMENT

9.1 None

10. RISK MANAGEMENT

10.1 None

Risk	Mitigation	Opportunities
Financial Exposure	N/A	N/A
Exposure to challenge	The serving of the TPO is in accordance with the required legislation	The confirmation of this TPO is considered by the LPA planning committee.
Innovation	N/A	N/A
Reputation	The loss of reputation if the council fails to safeguard trees worthy of protection in light of the climate emergency and Biodiversity Action Plan	Officers to ensure they appropriately assess whether a tree is worthy of protection and provide clear evidence to members to justify the decision using the TEMPO methodology.
Achievement of outcome	N/A	N/A
Property	N/A	N/A
Community Support	N/A	N/A
Timescales	N/A	N/A
Project capacity	N/A	N/A
Other	N/A	N/A

11 SUPPORTING INFORMATION:

- 11.1 In May 2021 the Principal Tree Officer received an email from a Wickham ward member informing him that Gravel Pit Copse at Wickham had been sold at auction. The ward member had received concerns from local residents living near the Copse that the trees within the Copse were about to be felled by the new owners to clear the land for the construction of a caravan park. The ward member requested that a Tree Preservation Order be placed on the Copse to preserve it.
- 11.2 The estate agents web page advertising the sale of the Copse stated *“The site abuts Titchfield Lane and is flanked by Wickham Park Golf Course to the north-east and a row of detached houses to the south-west. Largely left to nature in more recent times it is considered that the site may offer scope and potential for a variety of future uses.*
- 11.3 Gravel Pit Copse is located next to a busy main road. The Copse is a group of maturing oak and ash trees with hazel tree understorey that

is in full view from the public highway giving the Copse high visual public amenity value.

- 11.4 The size of the Copse is approximately $\frac{3}{4}$ Acre.
- 11.5 Following the Principal Tree Officer's visit to Gravel Pit Copse, a Tree Preservation Order was made on 3rd June 2021 and if not confirmed will expire on 2nd December 2021.
- 11.6 A Tree Evaluation Method for Preservation Orders (TEMPO) has been carried out to evaluate the Copse suitability for a TPO. The Copse scored a total of 18 points which signifies it 'definitely merits' protection by a TPO.

12 SUMMARY OF OBJECTION

- 12.1 The trees are not under threat as the Forestry Act prevents unlawful felling.
- 12.2 The trees are not under threat as the land is outside any settlement boundary and within countryside policy therefore development potential is negligible.
- 12.3 No tree works have been carried out recently that present a direct threat to the woodland.
- 12.4 Some ash specimens close to the road have symptoms consistent with chalara ash dieback meaning the TPO could delay important works for road safety.
- 12.5 The perceived threat from the sale of the land is unwarranted as the proposed auction of the land was as a woodland plot and the land was not sold.

13. ARBORICULTURAL OFFICER'S RESPONSE

- 13.1 With regard to whether it is expedient to serve the TPO, claiming that the trees are protected by the Forestry Act, this is irrelevant because there are exemptions within the Forestry Act legislation to allow a certain amount of tree felling to occur without prior permission from the Forestry Commission. The Copse is of such high amenity value that it warrants protection by a Tree Preservation Order.
- 13.2 The Copse is located outside the settlement boundary and therefore it would be unlikely the Local Planning Authority would grant consent for development at this site, however if the trees are not protected and

the Copse is sold again there is a risk that some or all trees may be felled for development reasons.

- 13.3 At the time of the Principal Tree Officers visit there was no indication of recent tree felling, however there was also no indication that the woodland management plan had been implemented or that the Copse is under good arboricultural or silvicultural management. This is confirmed by the estate agent's comment on their web site that states "*the Copse has been left to nature in recent times*"
- 13.4. The Tree Preservation Order will not prevent the removal of the ash trees that have been colonised with ash dieback, or delay or hinder any future maintenance of the Copse as there are government guidelines set out by the Secretary of State on how the LPA should receive and process tree works applications for protected trees.
- 13.5 The perceived threat to the Copse is as a result of the Copse being sold at auction. Although the new owners defaulted on the purchase and the Copse is still owned by its original owners, there is no guarantee that the Copse will not be auctioned again, especially when the Copse is marketed by the estate agent as "*it is considered that the site may offer scope and potential for a variety of future uses*".

The Secretary of State's advice in regards to expediency of making a Tree Preservation Order is: Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an Order. For example, it is unlikely to be necessary to make an Order in respect of trees which are under good arboricultural or silvicultural management.

It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.

14.0 RECOMMENDATION

- 14.1 That TPO 2300 is confirmed

BACKGROUND DOCUMENTS:-

- a) Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.
- b) Tree Evaluation Method for Preservation Orders- (TEMPO)

APPENDICES:

Appendix 1 Map.

Appendix 1



Legend

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

TOWN AND COUNTRY PLANNING ACT 1990
Section 198 - 201

Tree Preservation Order No. 2300

Location: Land at Gravel Pit Copse
Titchfield Lane
Wickham
Hants



Winchester City Council
City Offices
Colebrook Street
Winchester
Hampshire
SO23 9LJ

OS Grid: 428253

Scale @A4: 1:1,500

Date: 03 June 2021

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