

REPORT TITLE: CONFIRMATION OF TREE PRESERVATION ORDER 2309 –
LAND AT THE GORSE 111 MAIN ROAD COLDEN COMMON SO21 1TB

20 JULY 2022

REPORT OF CABINET MEMBER: JACKIE PORTER Cabinet Member for Place and
Local Plan

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WARD(S): COLDEN COMMON & TWYFORD

PURPOSE

To consider confirmation of Tree Preservation Order 2309 to which one letter of objection has been received.

RECOMMENDATIONS:

1. That having taken into consideration the representation received, Tree Preservation Order 2309 be confirmed with modification.

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 these Oak trees 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 these trees will contribute towards the Council's objective to reduce 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 and ensure the district is handed across to future generations in a better state than it is now. One way to achieve this is to safeguard trees 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 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 TPOs.

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 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 PUBLIC SECTOR EQUALITY DUTY

- 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	Making 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		
Community Support		
Timescales		
Project capacity		
Other		

11 SUPPORTING INFORMATION:

- 11.1 In January 2022 the Tree Officer received an e-mail from an interested party to advise that there was a strong indication that trees at 111 Main Road Colden Common SO21 1TB were to be removed – including two high amenity Oak trees.
- 11.2 The two Oak trees are prominent in the local landscape and can be clearly seen from the public standpoint of Main Road. Therefore the trees have a high public visual amenity value and are a significant feature in the landscape. They also make a significant contribution to biodiversity by supporting hundreds of different species.
- 11.3 Following the Tree Officer's visit to the site to make an assessment, a Tree Preservation Order was made on 25th January 2022 to protect two Oak trees. If not confirmed this order will expire on 24th July 2022.
- 11.4 A Tree Evaluation Method for Preservation Orders (TEMPO) was carried out to evaluate the suitability of the trees for a TPO. The Oak tree (T2) scored a total of 20 points which signifies that it 'definitely merits' protection from a TPO. T1, on closer inspection, had lost a main limb and was unsuitable for protection. Therefore this TPO confirmation relates to T2 only.

For reference, it is acceptable to remove trees from a TPO on confirmation, but not to add additional trees.

12 SUMMARY OF OBJECTION

- 12.1 The TPO mentions two trees, one of which is not on the property owner's land.
- 12.2 Large number of trees removed in neighbour's property to make way for development.

13 ARBORICULTURAL OFFICER'S RESPONSE

- 13.1 Further to making a more detailed site assessment, it has been noted that one of the two Oak trees is on a neighbouring property. It has also been noted that this tree has previously had a major limb cut off which makes it unsuitable for a TPO. With this in mind, T1 will be removed from the TPO on confirmation. However T2 is still deemed highly worthy of protection.
- 13.2 In relation to a large number of trees being previously removed on a neighbouring property, this is not relevant in deciding whether or not this TPO should be confirmed.
- 13.3 It is clear from the TEMPO assessment made on the site visit that this oak tree is of high amenity value, is under threat and therefore warrants protection through a TPO.

14 RECOMMENDATION

- 14.1 That TPO 2309 be confirmed with modification to remove T1 Oak from the TPO

BACKGROUND DOCUMENTS:-

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

Tree Evaluation Method for Preservation Orders- (TEMPO)

APPENDICES:

Appendix 1 – Map

