

PLANNING COMMITTEE

REPORT TITLE: CONFIRMATION OF TREE PRESERVATION ORDER 2332 -
LAND AT HILL COPPICE, TITCHFIELD, HAMPSHIRE

24 MAY 2023

REPORT OF CABINET MEMBER: Councillor Jackie Porter, Cabinet Member for
Place and Local Plan

Contact Officer: John Bartlett Tel No: 01962 848360 Email:
jbartlett@winchester.gov.uk

WARD(S): WHITELEY & SHEDFIELD

PURPOSE

To consider confirmation of Tree Preservation Order 2332 to which one letter of objection has been received.

RECOMMENDATIONS:

That having taken into consideration the representation received, Tree Preservation Order 2332 be confirmed.

1. SUMMARY

1.1. The Winchester City Council tree officer was contacted informing him that a letter had been received by residents stating that the three pine trees to the rear of 33/35 Leafy Lane, Whiteley were due to be reduced. It later became apparent that the plan was to remove them.

The tree officer visited and assessed whether the pine trees were of sufficient amenity value and condition to merit protection. It was considered that all 3 trees met the criteria. T1 - which is subject to the objection had a score of 15 points on the TEMPO assessment which means that a TPO is defensible. Therefore TPO 2332 was made and served on 17th January 2023. The TPO will expire on 16th July 2023 if not confirmed.

2. CONSULTATION

2.1 1 letter of objection was received with reference to TPO 2332 T1 – in summary:

- The tree is almost touching fence. Have already had to repair fence and move it in as the tree has pushed against the post that is directly next to the tree
- Branches are so large that they overhang the bottom section of my garden.
- Falling pine cones and branches cause damage to play equipment, my garden and my garden walls.
- Deadwood falls from the tree which is considered to be dangerous as this may point to the tree being in a diseased and unsafe state. In high winds the tree moves against fence and large branches fall. Only a matter of time before significant damage is caused to property.
- Falling pine cones and branches fall all year round. On occasions, these have fallen onto my children.
- This tree being removed does not materially contribute towards the character and visual public amenity of the local area. This tree is surrounded by other trees which would be able to flourish with the removal of this tree. A more appropriate tree could be planted further from my boundary in its place if felt necessary to preserve local area. The tree does not act as 'barrier' between house, the public footpath or the business park.

Arboricultural Officer's response:

- An engineering solution should be sought in respect of the fence which allows the tree to be accommodated.
- A TPO does not prevent pruning works from being carried out within reason. Therefore, if works are viewed as necessary they can be applied for. The application will then be assessed to see whether these works are acceptable in arboricultural and planning terms.
- If there is concern about falling branches, it is advised that independent advice is sought from an arboricultural consultant or tree surgeon. The council can then consider any recommendations in a tree works application which is subsequently submitted.
- Removal of deadwood is exempt from the normal application process, so can be removed without any further permission being required. Deadwood is common in this species of tree and often occurs as the main crown forms higher up. As mentioned above, independent arboricultural advice should be sought from an appropriate expert if there are concerns about safety.
- Pruning works can be applied for within reason to cut back overhanging branches. These works can then be considered by the council in a formal tree works application.
- This pine tree (2332 T1) can be clearly seen from the public standpoints of Leafy Lane and also the public footpath to the rear of Leafy Lane. Therefore, this tree is considered to make a significant contribution to the visual amenity and also the arboreal character of the area.
- There are no objections in relation to T2 or T3.

3. ENVIRONMENTAL CONSIDERATIONS

3.1 Trees such as this one, 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 help offset the effects of global warming.

4. PUBLIC SECTOR EQUALITY DUTY

None

5. RISK CONSIDERATIONS

5.1 The risk of legal challenge to the validity of the TPO is considered low as the TPO has been served in accordance with the relevant legislation and procedures. Compensation for refusal for works applied to the trees is mitigated by following correct procedures as laid down by the Secretary of State.

6. OTHER OPTIONS CONSIDERED AND REJECTED

None

BACKGROUND DOCUMENTS: -

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

Winchester City Councils tree strategy

APPENDICES:

Appendix 1 - Map

Appendix 1



TPO 2332 Tree Schedule
 2332 T1 Pine
 2332 T2 Pine
 2332 T3 Pine

Legend

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

OS Grid: 428253

TOWN AND COUNTRY PLANNING ACT 1990
 Section 198 - 201
 Tree Preservation Order No. 2332

Location: Land at Hill Coppice
 Titchfield
 Fareham

Scale @A4: 1:1,167 Date: 16/01/2023

Winchester
 City Council

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

Telephone 01962 840 222