

PLANNING COMMITTEE

REPORT TITLE: CONFIRMATION OF TREE PRESERVATION ORDER 2334 -
LAND AT WINCHESTER RAILWAY STATION WINCHESTER

MEETING DATE: 19 JULY 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): ST PAUL

PURPOSE

To consider confirmation of Tree Preservation Order 2334 to which one letter of objection has been received.

RECOMMENDATIONS:

That having taken into consideration the representation received, Tree Preservation Order 2334 be confirmed.

1. SUMMARY

- 1.1. The Winchester City Council Tree Officer was informed by a resident that a letter had been received by residents stating that the seven London plane trees on the forecourt to Winchester railway station were to be removed. The trees were planted in a joint project between Hampshire Highways and Network Rail.
- 1.2. South West Trains and Network Rail were looking to remove these trees due to the roots lifting up the paving – causing a trip hazard to pedestrians. They wish to find a solution due to the number of incidents that have occurred, along with insurance claims which are linked to these incidents.
- 1.3. The tree officer visited and assessed whether the trees were of sufficient amenity value and condition to merit protection. It was considered that all 7 trees met the criteria. Each of the trees achieved a score of 16 points on the TEMPO assessment which means that they merit protection of a Tree Preservation Order (TPO). Therefore, TPO 2334 was made and served on 3rd March 2023. The TPO will expire on 2nd September 2023 if not confirmed.
- 1.4. The WCC Tree Officer has suggested that the use of flexipave is considered as an alternative surface in order to retain these trees.

2. CONSULTATION

- 2.1. One letter of objection was received to the making of TPO 2334, from the owner of the trees – in summary:
 - Paving slabs have been lifted by up to 2 inches as direct result of roots spreading from these trees – causing significant safety issues with trip hazards.
 - Original proposal was to replace these trees with three new trees which are native to the area which have an ecological benefit.
 - If the TPO becomes permanent, the current safety fence measures will be required to stay in place due to the risk of trips and falls. If the trees are not removed, it is expected that public access will be restricted further.
 - A TPO would mean that South West Trains and Network Rail would not be able to carry out their fundamental responsibilities to keep the area safe for its passengers and the public.
 - South West Trains and Network Rail invited the Tree Officer to a site meeting to discuss the trees and proposed changes to the station - the invitation was not taken up.

2.2 Three letters of support were received for the making of TPO 2334 - in summary:

- Would like to support the TPO for Plane trees at the top of Station Hill.
- Trees seem healthy and contribute considerably to the public realm, on the east side of the station, in the street views as you approach the station and more widely in longer views from high ground.
- Understand that this is a temporary order and wish to support the view that the TPO should be permanent.
- The unevenness of the pavement can be solved by laying flexible materials round the tree trunks.
- Surely this is a time when every bit of life should be preserved in all its forms.

The Tree Officer's response:

- There are soft engineering solutions such as flexipave which have been used at Eastleigh station by Network Rail, and also by Hampshire Highways on the Broadway in Winchester. Flexipave is a widely used product which is recognised in the arboricultural industry. With this in mind, the flexi-pave solution is also considered to be possible at this location and would allow for these important trees to be retained whilst providing an even surface without trip hazards.
- Whilst it is acknowledged that native trees would have more of an ecological benefit, the new trees would take some time to provide the same level of public visual amenity, canopy cover, and many other benefits which the current London Plane trees provide. Therefore, it is considered to be important to retain these trees in situ as their loss would be significantly detrimental to the amenity value of the area.
- Public access can be retained if alternative surfacing such as flexi-pave is used at this location and would therefore allow for the fencing to be removed. This surface could also be applied without the need to sever roots.
- The alternative flexipave surface mentioned above would allow for South West Trains and Network Rail to carry out its fundamental responsibilities to keep the area safe for its passengers and the public – instead of removing these valuable trees. South West Trains and Network Rail were recommended to assess the suitability of this solution and have indicated that they don't feel it is appropriate for this site.

- Other engineering solutions are available such as resin bonded surfaces. However, these solutions are more expensive and do not flex with the roots so break up more readily.
 - At the time, it was understood that these trees were highway trees, so officers advised Network Rail to contact Hampshire Highways about these trees.
3. ENVIRONMENTAL CONSIDERATIONS Trees such as these, 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
- 4.1. Whilst it is acknowledged that the current paved surface causes a trip hazard, the flexipave solution which we have suggested will result in an even surface which is not raised and doesn't cause a trip hazard.
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
- 6.1. If this provisional TPO is not confirmed, it will expire on 2nd September 2023. These trees will then be left vulnerable to being removed. The removal of these trees will have a significant negative impact on the visual amenity and character of the area. Despite the proposal to replace these trees with three new trees, the new trees will take at least 20 years to have a similar impact and the loss of the existing trees will also lead to a significant loss of canopy cover.

BACKGROUND DOCUMENTS:-

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

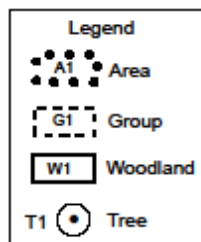
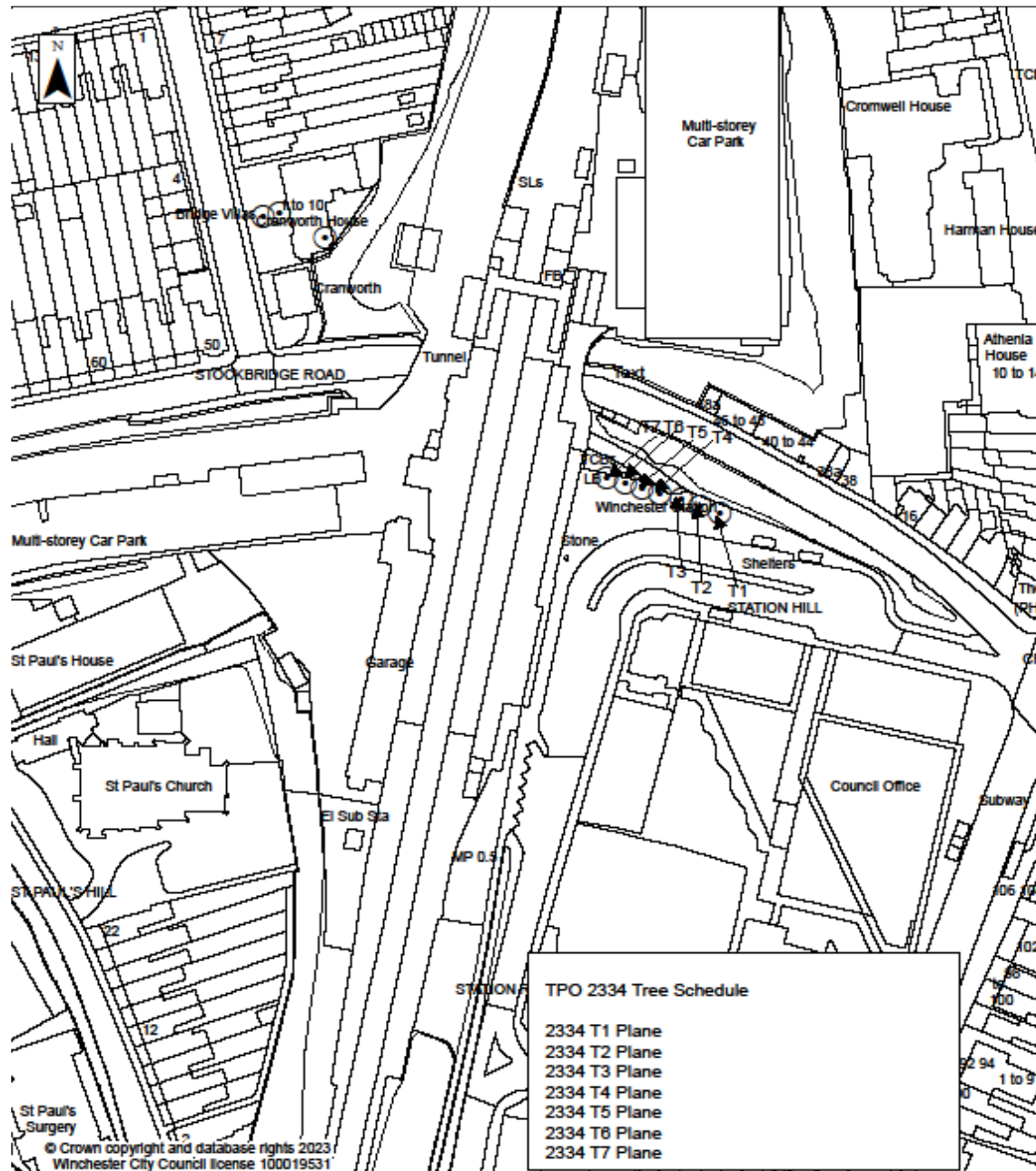
Website:- <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

Winchester City Councils tree strategy

Website:- <https://www.winchester.gov.uk/planning/trees>

APPENDICES:

Appendix 1 - Map



OS Grid: 428253

TOWN AND COUNTRY PLANNING ACT 1990
Section 198 - 201

Tree Preservation Order No. 2334

Location: Land at Winchester Railway Station
Station Hill
Winchester

Scale @A4: 1:1,250

Date: 03/03/2023



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

Telephone 01962 840 222