

PLANNING COMMITTEE

REPORT TITLE: TREE PRESERVATION ORDER 2335 – LAND ADJACENT TO SILVERLAKE GARAGES STATION HILL CURDRIDGE HAMPSHIRE

16 AUGUST 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 2335 to which one letter of objection has been received.

RECOMMENDATIONS:

That having taken into consideration the representation received, Tree Preservation Order 2335 be confirmed without modification.

1. SUMMARY

1.1 Winchester City Council Tree Officer was informed that a number of trees were proposed to be removed to facilitate a proposed development on land adjacent to Silverlake Garages, Station Hill, Curdridge. Due to the potential development, the trees were considered to be under immediate threat.

1.2 The Tree Officer visited and assessed whether the trees were of sufficient amenity value and condition to merit protection. He considered that both of the trees and woodland to which the objection relates met the criteria for protection due to their public visual amenity value and the positive contribution they make to the local landscape. The Oak (T1) achieved a score of 17 points, the Oak (T4) achieved a score of 18 points and the woodland (W1) achieved a collective score of 16 points on the TEMPO assessment which means that they definitely merit protection of a Tree Preservation Order. The TPO was made on 20th March 2023 and will expire on 19th September 2023 if not confirmed.

2. CONSULTATION

2.1 Two letters of objection were received to the making of TPO 2335, from the tree owners' appointed arboricultural consultant and the owner– in summary:

- T1 Oak is a poor condition stunted specimen and does not make a significant contribution to the visual amenity of the area. It is not suitable for inclusion within a TPO.
- The Oak (T4) is growing in difficult circumstances in an agricultural field. Close inspection reveals a significant amount of deadwood and dieback in the canopy.
- The Oak (T4) is in decline and will continue to do so. It is not a suitable subject for a TPO. It also only has glimpses from public view points, which make its inclusion in a TPO questionable.
- W1 is not a woodland. It is a planted landscape strip. Its purpose was to screen the recycling installation behind it and is not particularly effective.
- There is no statutory replanting requirement for trees lost in woodlands because natural regeneration is supposed to provide the replacements. That will not and is not happening here.
- When the Birch begin to naturally die out there will not be enough climax tree species surviving in the belt to take over from them.
- The belt currently does not look too bad from a distance. I suggest that such is the view that whoever made the TPO had of it, but it is not viable as it stands and it will not fulfil the aims of whoever 'designed' it.

- The tree planting included within W1 is subject to protection from a legal agreement between HCC and Silverlake. As such the area W1 already benefits from protection that would prevent its unconsented or premature felling ahead of any future development approval.

The Tree Officer's response:

- Whilst it is acknowledged that (T1) Oak is a stunted specimen at the present time, it has good leaf cover and vitality, so there is no reason to say that this tree will not go on to become a better specimen in future years. It has been categorised as a category B tree in a BS 5837 survey submitted for this site which indicates it is of moderate quality.
- The Oak (T4) only has some dieback in the crown which is expected for a tree of this age class. It has also been categorised as a category A tree in a BS 5837 survey submitted for this site which means it is viewed as a high quality tree.
- For the purposes of this TPO, the most suitable category for this collection of trees is a woodland. These trees are also categorised as a category B woodland in the BS 5837 survey submitted for this site.
- W1 is classed as a woodland and therefore it is possible for natural regeneration to occur here in the future, especially with pioneer species such as Birch. Other planted native trees such as Oak and Hazel have the potential to mature to create a future ancient woodland.
- W1 acts as an important screen which softens the impact of the previous development on the landscape.
- Regardless of the legal agreement this woodland is still under threat of removal of trees for development. All of the trees within W1 have been surveyed and have been classified as having a collective category of B which indicates they are of moderate quality.

3 ENVIRONMENTAL CONSIDERATIONS

3.1 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

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 made 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 TPO is not confirmed, it will expire on September 2023 and the trees will then be vulnerable to removal as they have been identified for removal on a BS 5837 tree survey which has previously been submitted. The removal of these trees would have a detrimental impact on the visual amenity and character of the area.

7 CONCLUSION

7.1 It is considered that due to their amenity value and condition, the trees and woodland merit protection and therefore Tree Preservation Order 2335 should be confirmed without modification.

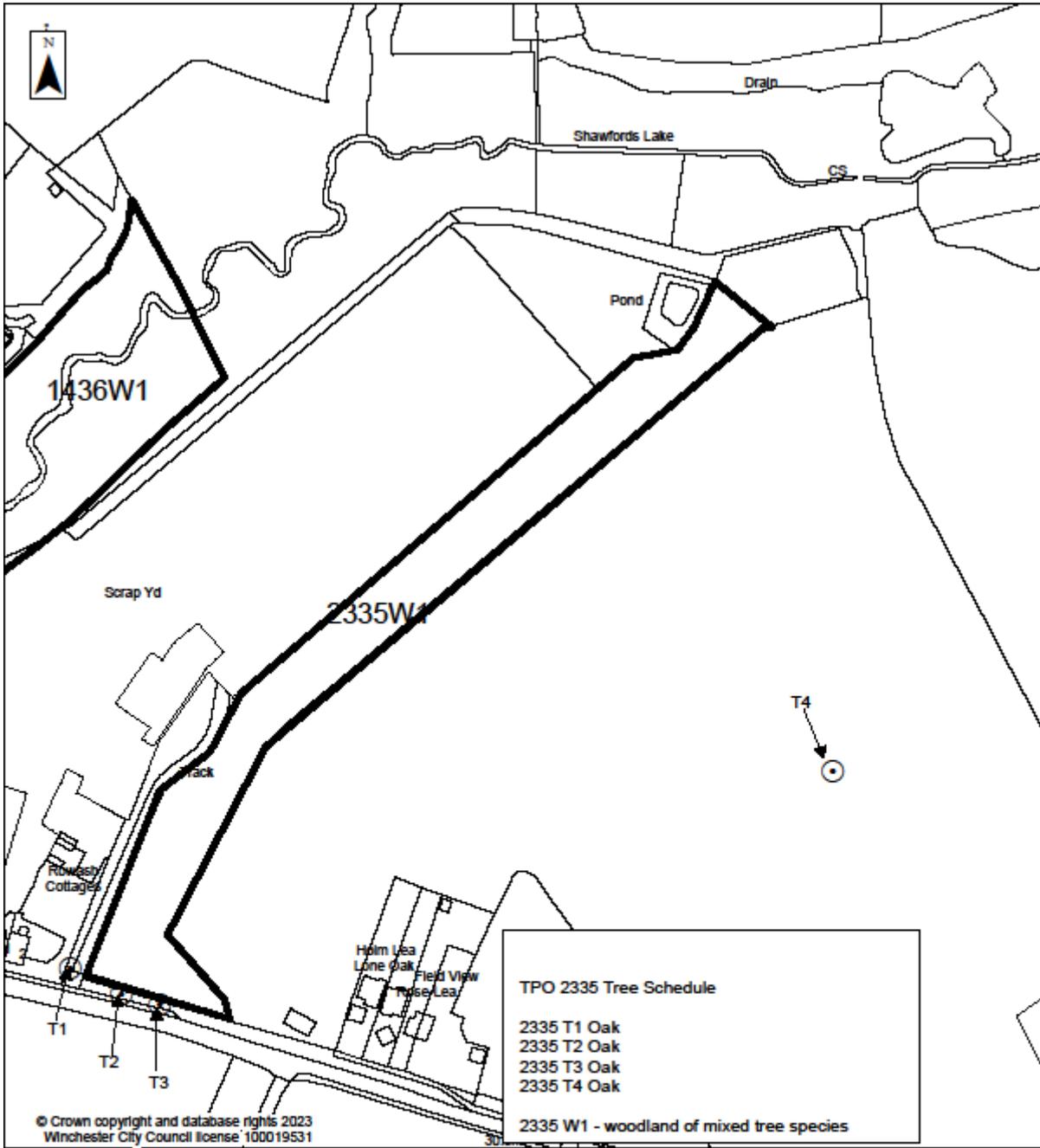
BACKGROUND DOCUMENTS: -

Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas - <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

Winchester City Council's Tree Strategy - <https://www.winchester.gov.uk/planning/trees>

APPENDICES:

Appendix 1 - Map



TPO 2335 Tree Schedule

- 2335 T1 Oak
- 2335 T2 Oak
- 2335 T3 Oak
- 2335 T4 Oak

2335 W1 - woodland of mixed tree species

Legend

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

TOWN AND COUNTRY PLANNING ACT 1990
Section 198 - 201

Tree Preservation Order No. 2335

Location: Land adjacent to Living Accommodation Front
Silverlake Garage
Station Hill
Curdrige



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Date: 16/03/2023

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