

REPORT TITLE: CONFIRMATION OF TREE PRESERVATION ORDER 2235 –
WATER LANE, BISHOPS SUTTON, ALRESFORD

14 FEBRUARY 2019

REPORT OF PORTFOLIO HOLDER: Councillor Caroline Brook, Portfolio Holder for
Built Environment

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WARD(S): ALRESFORD AND ITCHEN VALLEY

PURPOSE

To consider confirmation of Tree Preservation Order 2235 to which one letter of objection has been received.

RECOMMENDATIONS:

1. That having taken into consideration the representations received, Tree Preservation Order 2235 is confirmed.

IMPLICATIONS:

1 COUNCIL STRATEGY OUTCOME

- 1.1 The confirmation of this Tree Preservation Order (TPO) will contribute to the High Quality Environment outcome of the Community Strategy by maintaining the environmental quality and character of the area.

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 the protected tree and where that application is refused.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 None

4 WORKFORCE IMPLICATIONS

- 4.1 None

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None

6 CONSULTATION AND COMMUNICATION

- 6.1 At the time that TPO 2235 was served, there were four letters of objection and one letter of support from the owners of the tree and neighbours. Three letters of objection have now been withdrawn leaving one letter of objection from a neighbouring property to the TPO which is summarised in this report.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 Trees have a significant impact on our surroundings, the quality of our lives and where we live. They form an important and integral part of both the countryside and in every town and village throughout the District. Trees support the natural beauty of our countryside and the diversity of our natural wildlife.
- 7.2 Trees represent an important environmental, economic and amenity resource within the built and natural environment.

8. EQUALITY IMPACT ASSESSEMENT

- 8.1 None

9. DATA PROTECTION IMPACT ASSESSMENT

9.1 None required

10. RISK MANAGEMENT

Risk	Mitigation	Opportunities
<i>Property N/A</i>		
<i>Community Support N/A</i>		
<i>Timescales N/A</i>		
<i>Project capacity</i>		
<i>Financial / VfM N/A</i>		
<i>Legal N/A</i>		
<i>Innovation N/A</i>		
<i>Reputation N/A</i>		
<i>Other</i>		

11. SUPPORTING INFORMATION:

- 11.1 This matter comes to Planning Committee because one objection to the making of TPO2235 has been received and has not been withdrawn.
- 11.2 TPO2235 was issued on 14 September 2018 to protect a large mature cedar tree located on the eastern boundary of the property. The Council received notification that the tree owners intended to fell it. If TPO 2235 is not confirmed, the TPO will expire on 13 March 2019.
- 11.3 The cedar tree is in full public view from the main road (B3047) running through Bishops Sutton from the east and from Water Lane and Hobbs Close to the north, giving the tree high visual public amenity value. The tree is of good health vitality and is a good example of its species.
- 11.4 The protection of this tree by a Tree Preservation Order is in accordance with Government guidance which states that “orders should be used to protect selected trees if their removal would have a significant negative impact on the local environment and its enjoyment by the public.” If this tree is removed it would have a detrimental impact on the visual public amenity value that the tree currently provides.
- 11.5 There are no arboricultural reasons or justification provided for the felling of the tree, there is no history of tree failure and no reports of structural damage being caused to the adjacent drive of dwelling of the property.
- 11.6 The Secretary of State’s view is that the higher the amenity value of the tree or woodland and the greater any negative impact of proposed works would have on amenity, the stronger the reasons needed before consent is granted.

11.7 The confirmation of TPO 2235 will not prevent future maintenance to the tree.

12. OTHER OPTIONS CONSIDERED AND REJECTED

12.1 At the time that TPO 2235 was served, the Council received 4 letters of objection and one letter of support.

12.2 Following a site meeting on 15 November 2018 at the property between the Principal Tree Officer and the owners of the tree, it was agreed that tree surgery could be carried out to alleviate the tree owner's concerns and their reasons for wishing to fell the tree. Following this agreement three of the four objectors have withdrawn their objection to the TPO.

12.3 The remaining objector disagrees that the tree has amenity value and has also made two comments:

- *From every window of my house I can see that awful tree”.*
- *“The tree is a constant source of irritation to me as I am constantly having to collect its branches and cones from my garden”*

13. BACKGROUND DOCUMENTS:-

13.1 TEMPO

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

13.3 The Following Tree Evaluation Method For Preservation Orders (TEMPO) assessment has been carried out to evaluate the amenity value of the Cedar tree.

Condition & suitability for TPO	Fair	suitable	3 points
Retention span (in years)	40 – 100	Very suitable	4 points
Relative public visibility & suitability	Large trees, or medium trees clearly visible to the public	suitable	4 points

Other factors	Principal components of formal arboricultural features, or veteran trees	N/A	1 point
Expediency assessment	Immediate threat to tree	Immediate	5 Points
Total			17 points awarded- TPO defensible.

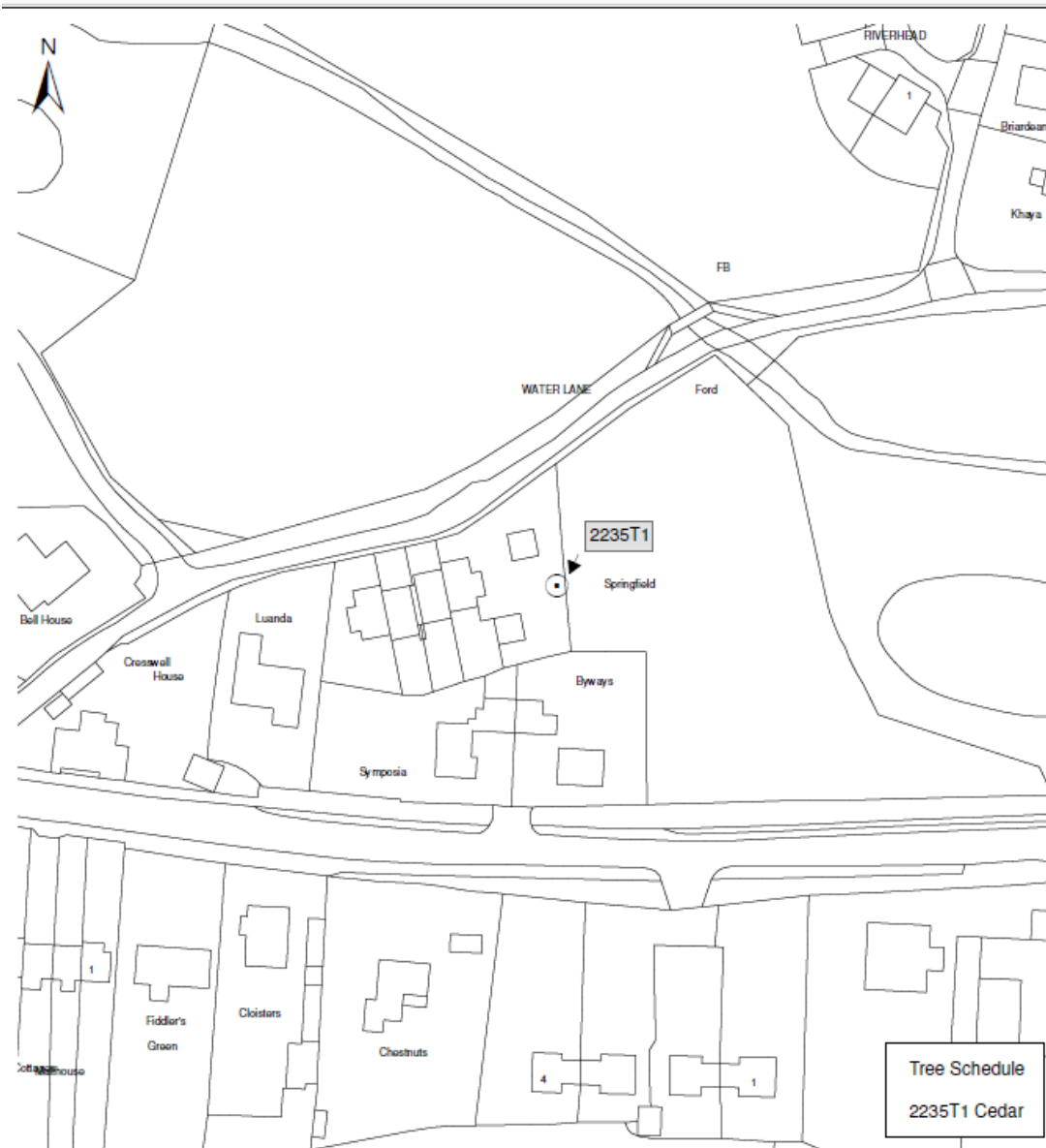
- 13.4 The cedar tree scores a total of 17 points which establishes that the placing of a TPO on the cedar tree is defensible and confirms that the tree is of sufficient public visual amenity value to be protected by a TPO.





Previous Committee Reports:- None

Other Background Documents:- None

APPENDICES:

Appendix 1- Map of the site.



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

TOWN AND COUNTRY PLANNING ACT 1990
 Section 198 - 201
 Tree Preservation Order No. 2235

Location: 1 Water Lane
 Bishops Sutton
 SO24 0AL



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Appendix 1