

REPORT TITLE: CONFIRMATION OF TPO 2259 – LAND AT TROSNANT SUN  
LANE ALRESFORD

12 SEPTEMBER 2019

REPORT OF CABINET MEMBER: Cllr Jackie Porter portfolio holder for built  
environment and well being

Contact Officer: Lloyd Fursdon Tel No: 01962 848210 Email  
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WARD(S): ALRESFORD & ITCHEN

PURPOSE

To consider confirmation of Tree Preservation Order 2259 to which three letters of objection have been received.

RECOMMENDATIONS:

1. That having taken into consideration the representations received, Tree Preservation Order 2259 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.

### 2 LEGAL AND PROCUREMENT IMPLICATIONS

None

### 3 WORKFORCE IMPLICATIONS

- 3.1 None

### 4 PROPERTY AND ASSET IMPLICATIONS

- 4.1 None

### 5 CONSULTATION AND COMMUNICATION

- 5.1 On serving of the TPO, the landowner and immediate neighbours were notified and allowed 28 days to object.
- 5.2 At the time that TPO 2259 was served there were three letters of objections received

### 6 ENVIRONMENTAL CONSIDERATIONS

- 6.1 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 the countryside and in every town and village throughout the District. Trees support the natural beauty of our countryside and diversity of our natural wildlife.

### 7 EQUALITY IMPACT ASSESSEMENT

None

### 8 DATA PROTECTION IMPACT ASSESSMENT

- 8.1 None required

9 RISK MANAGEMENT

## 10.1 None

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

10 SUPPORTING INFORMATION:

- 10.1 This matter comes to Planning Committee because three objections to the making of TPO 2259 has been received and have not been withdrawn.
- 10.2 TPO 2259 was served at Trostant, Sun Lane Alresford on 15<sup>th</sup> April 2019. The Council received a 211 notification (notice to carry out works to trees within a Conservation Area). The proposal was T1 Thuja plicata. ( Western Red Cedar ) Remove.G1 Taxus baccatta (Yew) x 3. Remove.T2 Fagus Sylvatica.( Beech) Reduce three lowest limbs growing towards house (Trostant) by 2m.T3 Lawson cypress. Remove.
- 10.3 The Arboricultural Officer's assessment of the trees is as follows
- 10.4 The tree(s) subject to this application are protected by virtue of the New Alresford Conservation Area.
- 10.5 The tree (T1) can be clearly seen from the public standpoint of Sun Lane.
- 10.6 The tree is a mature specimen of good form and appears to be healthy and in good overall condition.
- 10.7 The other proposed works (G1, T2 and T3) are acceptable and the remedial works to T2 are within the tree's ability to tolerate the pruning without unduly impacting on its health or value in the landscape. G1 and T3 have no public visual amenity.
- 10.8 The Arboricultural officer's recommendation at the time of his assessment of the section 211 notification was to make a TPO for T1 only and raise no objection to the proposed trees works to G1, T2 and T3.
- 10.9 If TPO 2259 is not confirmed, the TPO will expire on 15<sup>th</sup> October 2019.

## 11 OTHER OPTIONS CONSIDERED AND REJECTED

11.1 At the time that TPO 2259 was served, the Council received 3 letters of objection.

## 12 **Summary of objections**

13.1 The tree is non native and continues to grow excessively, damaging the structure and surroundings

13.2 Sun Lane is effected by over hanging branches

13.3 The branches of the tree overhang the bowling green and are detrimental to the playing surface of the bowling green.

13.4 Bowling club members concerned about future damage to the bowling green levels, paths and water from the tree root system.

13.5 The tree drops cones on the bowling green which has to be continuously removed.

## 14. **Arboricultural Officers Response**

14.1 T1- Western Red Cedar is in full public view from Sun Lane giving it high visual public amenity value and therefore making it suitable for protection from a TPO as confirmed by the TEMPO assessment set out below. Government guidance states that trees subject to protection from a TPO or parts of them should be visible from a public place.

14.2 The protection of T1 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." The proposed removal of T1 would have a detrimental impact on the visual public amenity value that the tree currently provides.

14.3 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.

14.4 There are no arboricultural reasons or justification provided for the felling of T1. There are no reports of structural damage being caused to the dwelling or bowling green.

14.5 The owner of the tree has stated in his letter of objection that he wishes to remove the tree in order to create garden space for an annexe he is seeking planning permission for. The confirmation of TPO 2259 will ensure that the tree is retained and protected if construction of the annexe is approved.

BACKGROUND DOCUMENTS:-

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

Tree Evaluation Method for Preservation Orders- (TEMPO)

TEMPO is designed as a field guide to decision-making, and is presented on a single side of A4 as an easily completed pro forma.

TEMPO is based on the accumulated scores derived in Parts 1 & 2 of the survey sheet and identifies four outcomes, as follows:

- Any 0 points you cannot apply TPO
- 1-6 points TPO indefensible
- 7-10 points Does not merit TPO
- 11-14 points Possibly merits TPO
- 15+ points Definitely merits TPO

Trees scoring 15 points or more are those that have passed both the amenity and expediency assessments, where the application of a TPO is fully justified based on the field assessment exercise.

The following Tree Evaluation Method for Preservation Orders (TEMPO) assessment has been carried out to evaluate the amenity value of T1- Western Red Cedar.

Condition & suitability for TPO	Fair	Suitable	5 points
Retention span (in years)	40-100	Very suitable	4 points
Relative public visibility & suitability	Large or medium trees clearly visible to the public	Suitable	4 points
Other factors	Members of groups of trees that are important for their cohesion	No other factors	1 point

Expediency assessment	Foreseeable threat to trees	Foreseeable	3 Points
<b>Total</b>			17 points awarded - Definitely merits TPO

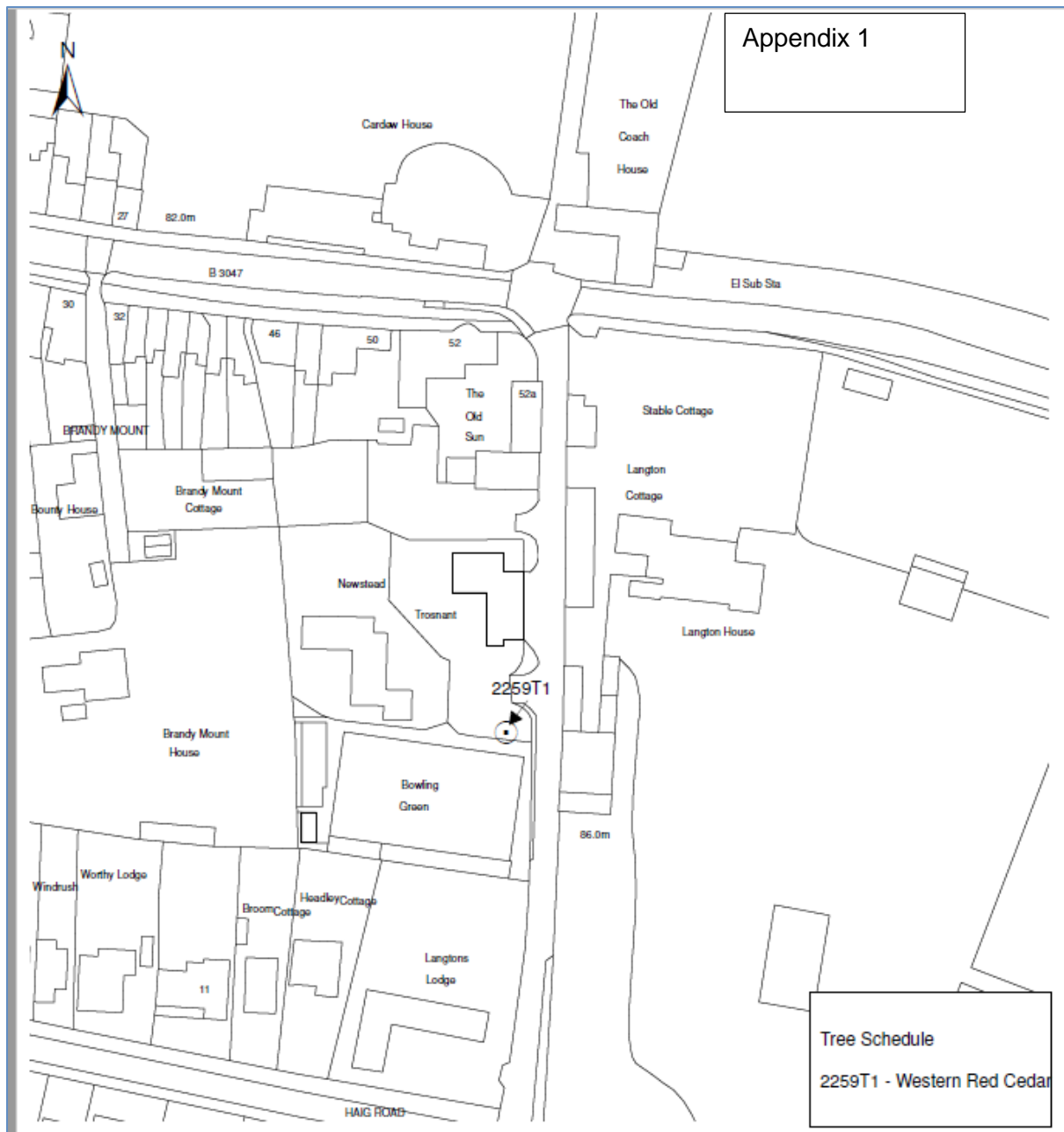
T1 scores a total of 17 points which establishes that the tree definitely merits a TPO and confirms that T1 is of sufficient public visual amenity value to be protected by a TPO.

Other Background Documents:-

None

APPENDICES:

Map – Appendix 1



**A1** Area

**G1** Group

**W1** Woodland

**T1** Tree

**TOWN AND COUNTRY PLANNING ACT 1990**  
Section 198 - 201

Tree Preservation Order No. 2259

Location: 'Trosnant'  
Sun Lane  
Arlesford  
SO24 9LZ

OS Grid: 59 - 32

Scale: 1:1000 @ A4

Date : 11 April 2019



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