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<b>APPLICATION NO.</b>	TPO.TVBC.1163
<b>SUBJECT TYPE</b>	Tree Preservation Order
<b>SITE</b>	Land at St Thomas Church, Tangle, Andover, SP11 0SG
<b>ORDER MADE</b>	4.10.2018
<b>CASE OFFICER</b>	Rory Gogan

Background paper (Local Government Act 1972 Section 100D)

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## 1.0 INTRODUCTION

1.1 This matter is reported to the Northern Area Planning Committee to determine an objection received in respect to the making of a new Tree Preservation Order (TPO). This order was made in response to concerns raised by local residents about the removal of trees in the north east corner of the woodland and the longer term management of the woodland.

## 2.0 SITE LOCATION AND DESCRIPTION

2.1 The woodland subject to this report stands on land at St Thomas Church, Tangle, Andover to the south of the Church and graveyard and adjacent to the public footpath that runs to the east of the woodland and Church Lane to the north.

### 2.2 Woodland Description

The woodland is approximately 0.1 hectares in extent and consists of mixed broadleaf species predominately Ash (34 trees) with Sycamore (10 trees), Elm (4 trees), Hazel (4 trees), Holly (3 trees), Field Maple (2 trees), Beech (1 tree), Yew (1 tree), Oak (1 tree) Hawthorn (1 tree) and Elderberry (1 tree). The trees are of varying age class but predominately mature trees. Where there have been breaks in the canopy caused by naturally occurring tree failure Hazel, Hawthorn Holly, Field Maple and Elderberry have naturally regenerated.

### 2.3 Amenity

The woodland can be seen from public vantage points, it stands adjacent to a public footpath to the east, and is visible from Church Lane to the north, travelling in westerly and easterly directions, there are also internal views from the church and graveyard. The woodland forms a pleasant back drop to the church and graveyard; it is of high public amenity value.

### 2.4 Historic Background

Woodland to the south of St Thomas Church and adjoining the grave yard area first appears on the OS Six- inch Wiltshire XLIX map, published 1877 -1883 as a tree nursery. It then appears as woodland area in the revision of 1894 to 1895. It and remains unchanged to the present day. The land has been wooded for a period of at least 125 years. It cannot be considered ancient woodland but in this time it has developed a complex community of trees, plants, fungi, microorganisms and insects.

### 3.0 **Representations**

- 3.1 A provisional Tree Preservation Order, TPO.TVBC.1143 was made 27 February 2018 in response to public concerns over the felling of several trees in the north east corner of the woodland and over the longer term management of the woodland.
- 3.2 An objection to the provisional TPO was received, 23 March 2018, from the Hatherden and Tangley Parochial Church Council (PCC). The PCC objected to the making of the TPO on the following grounds:
1. In the past two years the PCC has had to intervene on two occasions to deal with trees either fallen into the graveyard or threatening to do so, involving the removal of fallen trees and felling rotten ones in the NE corner of the woodland, for safety reasons.
  2. The PCC have commissioned a tree safety audit assessment that has identified urgent works to be undertaken as soon as possible.
  3. The woodland comprises a selection of self-seeded trees, mainly Ash and Sycamore, that have grown up randomly in an etiolated form. The trees have not been subject to active management, they are generally of very poor quality.
  4. The PCC do not believe that the status of this particular piece of woodland merits the protection of a TPO.
- 3.3 An application for Tree Works has been submitted, proposing works recommended within the Tree Safety Audit Assessment commissioned by the PCC. The application, reference 18/00823/TPON, outlined a works programme for thirty three trees within the woodland of which works (or lesser works) to twenty three of the trees gained consent.
- 3.4 Following on-site meeting with members of the PCC to consider the TPO and further discussion with the priest in charge, the objection could not be resolved within the time limit. Given the need for continued protection of the woodland, a new order was made, reference TPO.TVBC.1163, on 4 October 2018.
- 3.5 An objection to the making of TPO.TVBC.1163 was received, 29 October 2018, from the Hatherden and Tangley Parochial Church Council (PCC). The PCC objected to the making of the TPO on the same grounds as for TPO.TVBC.1143. Additional grounds were also included within the objection:
1. The PCC is showing responsible stewardship of the woodland, with demonstrable plans to improve it, such that placing the whole of it under a TPO is unwarranted.
  2. The woodland forms part of a very large wooded area, the overwhelming majority is of much greater arboricultural quality. The PCC have no objection if the Council felt that the whole of this part of Tangley should be placed under a TPO. But consider, that to single out less than 1% for special treatment is both illogical and perverse.
- 3.6 A meeting was held at the Council Offices on 20 December 2018 between members of the PCC and the case officer Rory Gogan to discuss the objection and to explore the merits of a woodland management plan that would avoid the need for numerous and repeated applications for works within the woodland.

3.7 In a letter dated 8 February 2019, the PCC stated “we are also concerned that your [tree officer] decisions regarding coppicing conflicts with the advice we have received from our consultant, and therefore that it may be difficult for us to come to an agreement over a management plan”. The objection to the TPO could not be resolved by negotiation.

3.8 Correspondence has been received from two residents of Tangle in support of the making of the TPO.TVBC.1163. The grounds for the support are as follows:

1. The nature of the site and the importance of retaining the woodland is more important than removing a large amount of trees so that tepees can be erected on platforms as proposed on a press cutting from the Andover Advertiser.
2. The people who live in Tangle do not want trees to be removed to necessitate what they feel is a transient plan to commercialise Tangle Church to appeal to a wider audience from afar. There is sufficient room surrounding the church to erect platforms if required and trees have already been removed in previous years to make a larger area beyond the graveyard.
3. The woodland itself is part of an ancient wood that almost certainly has been there for 300 years and we would support the TPO being confirmed so that those who wish to destroy it are restrained from doing so.
4. No one who lives in Tangle Village is a member of Tangle PCC and as such we can only hope that the wood will be retained for future generations to enjoy.

3.9 In addition to the two letters of support for the making of the TPO, a petition, signed by 48 residents of Tangle village has been received. Signatories registering their objection to Tangle Parochial Church Council felling, coppicing and reducing the area of woodland adjacent to St Thomas Church.

#### 4.0 **National Planning Practice Guidance**

4.1 When deciding to make a TPO local authorities must pay special attention to the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:

- size and form
- future potential as an amenity
- rarity, cultural or historic value
- contribution to, and relationship with, the landscape; and
- contribution to the character or appearance of a conservation area.

4.2 It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees.

4.3 The purpose of the woodland TPO category is to safeguard a woodland as a whole. While some trees may lack individual merit, all trees within a woodland that merits protection are protected and made subject to the same provisions and exemptions. In addition, trees and saplings which grow naturally or are planted within the woodland area after the Order is made are also protected by the Order.

## 5.0 TPO CONSIDERATIONS

- 5.1 In assessing individual trees, groups of trees or woodland for possible inclusion in a new TPO, officers assess whether the tree/woodland has public amenity value. But they will first determine, by reference to a list of detractors, whether the making for a new order would be indefensible.
- 5.2 In this instance it was noted that while some trees lacked individual merit all the trees had sufficient space for reasonable growth with the potential for a long useful life expectancy. The woodland can be seen from public vantage points, it stands adjacent to a public footpath to the east, and visible from Church Lane to the north, travelling in westerly and easterly directions, there is also internal views from the church and graveyard. The woodland forms a pleasant backdrop to the church and graveyard; it is of high public amenity value.
- 5.3 In their letter, the PCC states that the woodland at Tangle Church is relatively new woodland and comprises a selection of self-seeded trees, mainly Ash and Sycamore that have grown up randomly in an etiolated form. The historic maps reveal this not to be the case, woodland is clearly present by 1894. It can clearly be seen that the land has been wooded for a period of at least 125 years.
- 5.4 The woodland also forms part of the larger Fox Plantation that is of much older origin. Over many decades much of the flora and fauna present in Fox plantation will have migrated into the adjoining subject woodland at St Thomas.
- 5.5 As the PCC have stated in their letter of objection the woodland has not been subject to active management, and the trees are of generally poor quality. This TPO has not been made solely to protect the 63 individual trees; it has been made to protect the integrity of the woodland within the local landscape. The value of this woodland site sits not just with the trees present today but also with its soils, changed over decades of tree cover. The soil communities have mixed woodland floor materials into the mineral soil. Woodland soils also contain mycorrhizae that form symbiotic relationships with trees and woodland plants maximising the trees/plants access to essential components and elements specifically nitrogen and phosphorus, in return for supplies of carbohydrates for use as energy. These systems of energy and nutrient exchange are very complicated and very important ecologically. The potential loss of a woodland or any part thereof not only affects the trees but also the above and below ground ecosystems that support a wide range of plants, fungi, microorganisms, mammals and insects.

## 6.0 IMPACT TO INDIVIDUAL PROPERTIES

### 6.1 Church View

The woodland is situated to the south of Church View. The woodland presents a natural backdrop to the church and graveyard.

### 6.2 Lantern Cottage

The woodland is situated to the south east of Lantern Cottage. The TPO would ensure continuity of tree cover when viewed looking in a south easterly direction from Lantern Cottage.

## 7.0 **CONCLUSION**

- 7.1 Concern was raised by local residents to the felling of trees in the north east corner of the woodland adjacent to the St Thomas Church graveyard and public footpath. The future management of the woodland was also raised as a concern.
- 7.2 Assessment of the trees within the woodland found that although many of the trees required remedial works to bring the woodland into a managed state that some felling works had taken place and that the stumps of one of the felled trees had been chemically treated, using Eco plugs drilled and placed into the stumps, to ensure that no regrowth could take place. No replacement planting had been undertaken to date.
- 7.3 Removal of the trees/woodland area would be detrimental to the amenity of the area and have an adverse impact on the rural nature of the setting.
- 7.4 The outcome of the local concern for the woodland and subsequent TPO assessment was the making of a new TPO.
- 7.5 An objection to the TPO has been received from Hatherdean and Tangley Parochial Church Council. The objection could not be resolved by negotiation and this matter is reported to the Northern Area Planning Committee to determine.

## 8.0 **RECOMMENDATION**

**That TPO.TVBC.1163 is confirmed without modification.**

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