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<b>APPLICATION NO.</b>	TPO.TVBC.1239
<b>SUBJECT TYPE</b>	TREE PRESERVATION ORDER
<b>SITE</b>	Simply Health, Alan Child House, Borden Gates, Andover, SP10 2RT, <b>ANDOVER TOWN (WINTON)</b>
<b>ORDER MADE</b>	11.02.2022
<b>CASE OFFICER</b>	Mark Wadey

Background paper  
Appendix: TPO.TVBC.1239 (provisional order)

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## 1.0 INTRODUCTION

- 1.1 This matter is reported to the Northern Area Planning Committee to consider objections received in respect to the making of a new Tree Preservation Order (TPO) and decide whether the TPO should be confirmed.
- 1.2 A provisional Tree Preservation Order (TPO.TVBC.1239) was made in response to a pre-planning application for the erection of 65 retirement apartments at Alan Child House in Andover. This TPO protects one individual Ash tree (T1), four Ash forming a linear group (G1) and a linear group of four Birch (G2).
- 1.3 Objections to this provisional TPO have been received.
- 1.4 The Council cannot confirm a TPO unless it first considers objections and representations duly made and not withdrawn. If a TPO is confirmed, it may be confirmed with or without modifications.

## 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site is located close to the centre of Andover adjacent to the entrance of Borden Gates, between Western Avenue (A3057) to the south and Bridge Street to the north. It consists of a large office building block surrounded by hard surfacing and landscaped areas around the boundaries containing low shrubbery vegetation, hedging and trees.
- 2.2 The trees within the site can be broken down into two distinctive groups and one individual tree;

### **Tree Groups**

Group shown as G1 – within the TPO schedule. This group stands on the north south eastern side of the site and contains 4 maturing Ash trees set within the existing car park area.

Group shown as G2 – within the TPO schedule. This group stands on the north western corner of the site and contains 4 maturing Birch trees set within the existing car park area, adjacent to the public footpath.

**Individual tree** – Tree shown as T1 within the TPO schedule. This Ash tree stands on the south eastern corner of the site, adjacent to the public footpath and A3057 flyover.

### 3.0 **BACKGROUND**

3.1 The area subject to the TPO.TVBC.1239 is part of a pre-application planning submission for the redevelopment of retirement housing which will require the loss of several trees within the site to accommodate the current proposals. For this reason, a TPO was considered expedient as there is now a perceived threat that trees of significant landscape importance could be felled without the appropriate protection being in place.

### 4.0 **REPRESENTATIONS**

Correspondence has been received from Barrell Treecare on behalf of their client Planning Issues Ltd, objecting to the making of the TPO on the following grounds:

***TPO ref T1 Raywood Ash (Fraxinus oxycarpa ‘Raywood’)***: Whilst this tree is visible from the adjacent riverside footpath, flyover and car park, and therefore has a degree of public benefit, it has limited potential to grow much bigger due to its restricted root volume. It is already interfering with the flyover structure and will need regular management to restrict conflict in the future.

***TPO ref G1 4no. Raywood Ash (F. oxycarpa ‘Raywood’)***: These four trees form a linear group within a narrow planting bed, completely surrounded by hard surfacing. They are sparse trees, with thinning crowns and are of low vigour. These trees could be replaced elsewhere on the site, on the western boundary with the car park would be ideal, with new specimen trees of higher quality, and are not worthy of a TPO.

***TPO ref G2 4no Birch (Betula pendula)***: This linear group along the northern boundary of the site comprises two moderate quality trees at either end, with two very poor suppressed trees in the middle. They are all significantly restricted in terms of root volume by the adjacent boundary wall, and hard surfacing. The two central trees are certainly not worthy of a TPO.

*In view of all these points, modification of the TPO is formally requested as follows:*

- *Omission of G1*
- *Omission of the two central trees in G2, and modification to two individual trees.*

### 5.0 **POLICY**

#### 5.1 **POLICY AND NATIONAL GUIDANCE TOWN AND COUNTRY PLANNING ACT 1990**

The Local Planning Authority may make a TPO if it appears to them to be: ‘expedient in the interests of amenity to make provision for the preservation of trees and woodlands in their area’. TPOs should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public.

## 5.2 Legislation governing Tree Preservation Orders and tree protection in conservation areas

Guidance is also taken from the current 2014 legislation governing Tree Preservation Orders and tree protection in conservation areas.

## 6.0 TPO CONSIDERATIONS

6.1 In assessing trees for possible inclusion in a new TPO, the Council therefore assesses whether the trees in question have public amenity value. Before doing so, however, it first determines, by reference to a list of detractors, whether the making of a new order would be defensible.

6.2 Further to the points raised by the objector, the following response is provided for the Committee's consideration:

**TPO ref T1 Ash:** Officer's observations found this tree to be in good health generally, growing vigorously in its surroundings. Much of the root system is covered by hard surfacing but the tree is clearly adapting well to its surroundings. Some pruning management may be required in the future to maintain clearance over the nearby flyover, but this can be easily achieved without the need to prune large limbs or significantly alter the tree's current aesthetic value. There are no visible indications to suggest that it is in decline, and it is considered to have good future potential as an amenity feature for many years to come. No objection has been raised for its inclusion within the TPO, so it is recommended the Order should be confirmed without amendment.

**TPO ref G1 4 x Ash:** This group of trees is also visible from several public places surrounding the site and it clearly offers some valued screening in front of Alan Child House when viewed from Western Avenue (flyover). Although the site is not in a Conservation Area, this group offers important canopy cover in a heavily urbanised environment, not very well endowed with trees. These trees are growing in a narrow planting bed, but they are already well established with potential to continue as important future amenity features. From the Officer's observations, there are no signs to suggest the trees are in decline or currently suffering from Ash-dieback disease.

**TPO ref G2 4 x Birch:** These trees are also surrounded by hard surfacing and a wall on one side. However, there are no signs of structural damage to the wall, so it is possible that roots are growing deeply in the underlying soil beneath the surfacing. The two end trees have become more dominant than the two middle trees but there are no obvious signs of significant health problems or decline. These trees have developed more slowly than the adjacent trees, but they are integral to the overall group feature. Collectively, they provide valued landscape cover when viewed from the public access routes between Borden Gates and Bridge Street.

Following current guidance and legislation governing the making of tree preservation orders, the Officer maintains that the group category is more appropriate than the alternative individual category requested by the objector.

6.3 The trees can be seen from public vantage points – views of the individual tree and groups may be achieved from the following public locations:

- Borden Gates.
- Westbrook Close
- Public footpath crossing the A3057 (Western Road) flyover
- Public footpath running north to south alongside the eastern river boundary linking Bridge Street with the Asda superstore

## 7.0 **CONCLUSION**

7.1 No objection has been raised for the inclusion of T1 (Ash), so in this respect, the Officer concludes that no amendment to the TPO is required.

Groups 1 and 2 have some restrictions to root growth but the Officer concludes that they are generally in good health with potential to contribute well to the future amenity of the area. The group designations are considered appropriate for the purpose of protecting the important tree features on this site and it is entirely reasonable that the Order is confirmed without amendment.

## 8.0 **RECOMMENDATION**

**That TPO.TVBC.1239 is confirmed without modification.**

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