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| APPLICATION NO. | TPO.TVBC.1250 |
| SUBJECT TYPE | TREE PRESERVATION ORDER |
| SITE | 14 Market Place, Romsey, Hampshire, SO51 8NA, ROMSEY TOWN |
| ORDER MADE | 30.09.2022 |
| CASE OFFICER | Rory Gogan (Presented by Andy Sherlock) |

Background paper ([Local Government Act 1972](#)) (Section 100D)
Appendix: TPO.TVBC.1250 (provisional order)

1.0 INTRODUCTION

- 1.1 This matter is reported to the Southern Area Planning Committee to consider an objection received in respect to the making of a new Tree Preservation Order (TPO) and decide whether the TPO should be confirmed.
- 1.2 This comes as a result of a threat to the tree from a Section 211 Notice, reference notification number 22/02319/TREES, to fell one Sycamore.
- 1.3 A provisional Tree Preservation Order (TPO.TVBC.1250) was made in response to the notification of intent to fell. The Order has effect provisionally unless and until it is confirmed. Confirmation must take place no later than six months after the TPO was made.
- 1.4 One objection to this provisional TPO has been received.
- 1.5 The following correspondence has been received supporting the TPO
 - 18 letters/emails of support from members of the public
 - Letter from Romsey & District Planning Committee
 - Letter from Romsey Extra Parish & Romsey Town Council joint Planning Committee
 - Letter Romsey & District Society of Natural Environment Committee
 - Email from the Romsey Conservative club (adjacent land owners)
- 1.6 The Council cannot confirm a TPO unless it first considers objections and representations duly made and not withdrawn.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 tree stands at the rear of 14 Market Place and 11 Church Street Romsey.
- 2.2 The Sycamore is a moderate quality tree with no significant defects. It is visible from public vantage points as a skyline feature from Church Place, Church Street, the White Horse Hotel Yard, Lortemore Place car park and the Market Place.

3.0 **BACKGROUND**

3.1 The site where the tree stands has been the subject of recent planning applications and there are current applications which are yet to be determined. However, the Section 211 Notice of intent to fell, which resulted in the TPO being made, does not mention any planning argument for removal. The only reason past planning is mentioned is to argue that the tree is not worthy of a TPO.

A TPO was not previously made on the tree as it benefits from inclusion in the conservation area, and as such, was already protected. A TPO only became necessary as a result of the 211 Notice for felling submitted separately to a planning application.

4.0 **REPRESENTATIONS**

4.1 One objection has been received from Mr Mark Sennitt, the site owner's agent, objecting to the making of the TPO on the following grounds:

- The tree only has limited views and as such has little public amenity and certainly not enough to warrant protection.

Mr Sennitt continues to tell us that this is the view of the owner, but also the view of the TVBC Tree and Planning Officers. Mr Sennitt includes extracts from the planning committee report (application no. 21/03491/FULLS) which states the following:

'The existing tree is certainly a large specimen but it is considered fair to say that its prominence is fairly limited by its location to the rear of the building facing Market Place. Those buildings are of a height to prevent views from the south. Views from the west are similarly restricted by the existing buildings facing Church Street. The tree would be prominent from the Lortemore Place car park to the [east] were it not for the existing mature trees to the east which effectively limit views. The best views of the tree are likely from the King Johns House gardens and even then limited to the upper parts.'

'Whilst the expectation is that a tree in the conservation area would be retained it has not been considered suitable for a Preservation Order and there are benefits associated with the replacement tree in the driveway and the other new trees within the garden areas. As a result the proposals are considered to have no significant adverse impact on the character of the area and comply with Policy E2'.

Based on this, Mr Sennitt states that it seems perverse for Officers to now recommend that it should now be protected.

4.2 Three local committees, the local Conservative Club and 18 members of the public wrote in support of the TPO. Below is a summary of the supporting comments made:

- Graceful backdrop from the garden of King John's House
- Enhances the character of Romsey Town Centre
- Important habitat for birds and insects

- Absorption of pollutants
- If we keep removing trees in the town centre, we will live in a concrete jungle
- The tree is not largely screened from view
- Pruning to clear existing buildings is not excessively inconvenient
- It is health and of a good mature size
- Why try to remove trees for no good reason when we have a climate emergency
- It is not prone to disease like many species that we stand to lose
- Good amenity tree

5.0 **POLICY AND NATIONAL GUIDANCE** **TOWN AND COUNTRY PLANNING ACT 1990**

5.1 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.

6.0 **TPO CONSIDERATIONS**

6.1 In considering trees for possible inclusion in a new TPO, the Council assesses whether the trees in question have public amenity value and if they are in a condition that means they can last for at least the next ten years.

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

Public Amenity Value – Visibility

The tree can be seen from several public vantage points:

- Church Street
- Church Place
- Market Place
- White Horse Hotel Yard
- Lortemore Place Car Park

The visual amenity of the tree is restricted by the adjacent buildings. However, it is visible and has value to the locality. This visual amenity and general value of the tree is emphasized by the amount of public interest that the proposed felling has generated. Based on this, whilst its visibility is constrained, it clearly would be missed if it were to be removed.

Opinions of TVBC Tree and Planning Officers expressed within Planning Committee report (application no. 21/03491/FULLS).

Mr Cox the previous TVBC Arboricultural Manager, objected to the removal of the Sycamore tree, stating that its retention was desirable.

Mr Goodman the Planning Officer has a role where he must consider many different opinions and policies, making informed decision on complex planning applications. Based on his assessment of the previous planning proposal he took the view that the value of the tree did not outweigh the benefits of the proposal. The planning committee did not agree with this position.

The tree has now been viewed by four TVBC Tree Officers (past and present) and they all have the same opinion that the tree warrants protection. The reasons given for its removal do not outweigh the amenity the tree offers.

7.0 **CONCLUSION**

Tree T1 Sycamore exhibits good health and value to the locality due to its public visibility. This is highlighted by the amount of local public interest. The tree is an important feature within the Romsey landscape, adding to the character of the area, it is entirely reasonable that the Order is confirmed without amendment or modification.

8.0 **RECOMMENDATION**

That TPO.TVBC.1250 is confirmed without modification.
