
APPLICATION NO.	TPO.TVBC.1263
SUBJECT TYPE	TREE PRESERVATION ORDER
SITE	Land at 34, Great Well Drive, Romsey, Hampshire, SO51 7QP ROMSEY TOWN (ABBAY)
ORDER MADE	14 November 2023
CASE OFFICER	Rory Gogan

Background paper (Local Government Act 1972 Section 100D)
Appendix: TPO.TVBC.1263 (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), reference TPO.TVBC.1263, and decide whether the TPO should be confirmed.
- 1.2 This comes as a result of a threat to trees from information provided to the Test Valley Borough Council (TVBC) that the landowner had informed neighbours of a proposal to fell the trees.
- 1.3 A provisional Tree Preservation Order (TPO.TVBC.1263) was made in response to the information provided to the Council that the trees would be imminently felled. 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- 1.5 The Council cannot confirm a TPO unless it first considers objections and representations duly made and not withdrawn.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 trees stand at the rear of 34, Great Well Drive, Romsey, Hampshire, SO51 7QP. On land that is detached from the garden of the property.
- 2.2 The group of trees are of moderate quality tree with no significant defects. The trees are visible from public vantage points within Great Well Drive and from surrounding private residential properties within Latham Road and to residents and the public traversing through from Nelson Close to Great Well Drive.

3.0 BACKGROUND

- 3.1 The land and the subject trees were sold as part of the purchase of 34, Great Well Drive, by Mrs Gadsdon. Mrs Gadsdon has offered the land to neighbours who may be interested in owning both the land and trees. In the absence of a neighbour taking up this offer Mrs Gadsdon had decided to fell the trees. Mrs Gadsdon informed her neighbours of this proposal at which point it was reported to TVBC who subsequently made the TPO to protect the trees from being felled.

4.0 **REPRESENTATIONS**

4.1 One objection has been received from Mrs Gadsdon, the landowner objecting to the making of the TPO on the following grounds:

- Test Valley Borough Council were happy for me to cut my own trees down.
- The trees are growing on land owned by the objector.
- When it rains the land floods very badly on one side so this makes going to my car very difficult, it is so deep it goes over my shoes, cutting the trees down will help this.
- I have offered the land to someone that would like the land and trees, but no one has come forward.

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:

Test Valley Borough Council were happy for the trees to be cut down.

A Tree Preservation Order and Conservation Area check can be requested by a landowner or potential purchaser of land. The Council will provide a response. If the answer, to the request, is that the trees are not covered by a TPO and do not stand within a Conservation Area this does not imply that the Council gives consent for the trees to be felled. The Council are committed to protecting trees in the interests of public amenity if their removal would have a significant impact on the local environment and its enjoyment by the public.

The trees are growing on land owned by the objector.

The TPO is served on the 'persons interested in the land affected by the Order' i.e. every owner and occupier of the land on which the protected trees stand. The landowner and any interested parties are given the opportunity to object to, or comment on, a new Tree Preservation Order.

The land floods very badly on one side so this makes going to my car very difficult, cutting the trees down will help this.

The poor drainage of the area is not caused by the trees. The water that collects in this area is due to the car park surface formation adjacent to this area of land/trees. In all probability the trees are taking up excess water through their root systems. Trees can absorb between 10 and 150 gallons of water daily dependent on the tree's maturity. Most of the water absorbed by a tree is evaporated through the leaves by a process called transpiration.

I have offered the land to someone that would like the land and trees, but no one has come forward.

The ownership of the land is not in question. If the trees in question are under threat [of being felled] and are of public amenity value, then a TPO can be made to protect them. The TPO would pass to any potential new owner of the land/trees.

Having reviewed the reason for the objection and completed a site visit with the land/tree owner. It is considered that the reasons given for the tree's removal do not outweigh the amenity the trees offer.

7.0 CONCLUSION

7.1 The trees within Area A1 exhibits good health and value to the locality due to their public visibility. The tree is an important feature within the locality of Great Well Drive and Latham Road, adding to the character of the area, it is entirely reasonable that the Order is confirmed without modification.

8.0 RECOMMENDATION

That TPO.TVBC.1263 is confirmed without modification.
