

25 APRIL 2003

NEW FOREST DISTRICT COUNCIL

APPEALS PANEL

Minutes of a meeting of a Tree Preservation Order Appeals Panel held at the Lymington Town Hall on Friday, 25 April 2003.

Councillors:

p Cllr K F Ault
p Cllr Mrs L C Ford

Councillors:

p Cllr Ms C F Gradidge

Officers Attending:

Miss J Mutlow, A. Rogers and B. Wilson.

Also Present:

K. Cooper, Mrs J Cooper, S. Peckham, Mrs M Waters and Mr A V Waters (Local Residents)

20. ELECTION OF CHAIRMAN.

RESOLVED:

That Cllr K Ault be elected Chairman for the meeting.

21. MINUTES (REPORT A).

RESOLVED:

That the minutes of the meeting of the Appeals Panel held on 28 January 2003, having been circulated, be signed by the Chairman as a correct record.

22. DECLARATIONS OF INTEREST.

There were no declarations of interest on any agenda item.

23. TREE PRESERVATION ORDER 7/03 (REPORT B).

The Panel examined an objection to Tree Preservation Order (TPO) 7/03 relating to Land of 10 Vincent Road and Vincent Close, New Milton.

The meeting had been preceded by a site visit to allow members of the Panel to establish the geographical context, their perceptions of the health of the tree, and to gain an impression of its amenity value within the surrounding area. During the site

visit, members had noted that the tree marked (T1), a Sycamore tree on the TPO plan, was the subject of the objection.

The Council's Solicitor outlined the local authorities duties and responsibilities, the relevant legislation and the matters that had to be taken into consideration when deciding to confirm or not to confirm the Tree Preservation Order 7/03 made on 16 January 2003. In summary she explained the Panel should consider carefully all they had heard and seen when considering the amenity value of the tree and whether it was expedient to confirm the TPO or not.

In the absence of the objector, Mr Hartell-Smith, Mr Wilson of the Tree Team read out Mr Hartell-Smith's letter of objection (attached to Report B as Appendix 2).

There were no supporters of the objector present.

The Council's arboriculturalist put the case for preservation. It was explained that the Sycamore tree was of an uncertain age, but its upright trunks indicated that the tree had been heavily cut back approximately 20-30 years ago. It was his view that the tree was healthy and was growing vigorously. The Panel noted that, consent to prune the tree had been given on 14 March 2003, in view of concerns over low branches near the garages to the rear of Vincent Road. It was felt that, with some minor management the tree could safely be retained for many years to come and was a safe, healthy amenity.

The Chairman then invited any supporters of the Order to speak.

Mr Cooper of 7 Vincent Close said he was speaking on behalf of a number of local residents who all supported the Order and appreciated the amenity value of the tree. He felt the tree absorbed pollution and helped drainage of the area.

Each party was invited to ask any further questions and summarise the cases that they had presented.

The Chairman then closed the meeting and the Panel made its deliberations. Everyone was invited to remain present.

Members felt that the tree was a fine local public amenity, in a vigorous and healthy condition and was visible from a number of view points.

Having carefully weighed all the evidence given, the Panel concluded that, for the reasons set out in the Tree Officer's report, the TPO should be confirmed without amendment.

RESOLVED:

That Tree Preservation Order 7/03 be confirmed without amendment.

24. OBJECTION TO TPO NO. 22/03 – LAND OF 25 LITTLE DENE COPSE AND DENESIDE CLOSE, LYMINGTON (REPORT C)

The Panel noted that this item had been withdrawn.

CHAIRMAN