

APPENDIX 2

OBJECTION TO TREE PRESERVATION ORDER TPO/0052/17

LAND OF HYTHE AND DIBDEN WAR MEMORIAL HOSPITAL

BEAULIEU ROAD, HYTHE

REPORT OF THE NATIONAL PARK AUTHORITY TREE OFFICER

1. TREE PRESERVATION ORDER HISTORY

- 1.1 Tree Preservation Order TPO/0052/17 was made on 19th October 2017. The Order protects four separate groups of trees.

2.

- 2.1 The Order was made following a planning application to redevelop the site. Replacing the existing hospital on the western side of the site with a housing development on the eastern side. The purpose of the Tree Preservation Order is to primarily ensure that these trees will be adequately protected throughout the planning process and during construction of a future development on this site. Without the statutory protection of a Tree Preservation Order it is difficult to enforce tree protection conditions during the development process.

- 2.2 The Authority's Tree Officer visited the site on multiple occasions during the planning consultation process. It was considered that the trees in the hospital grounds makes a positive contribution to the visual amenity of this area. Hythe and Dibden Purlieu and form an important green corridor in an urbanised area. These trees are also considered a locally significant historical landscape feature.

- 2.3 One objection has been received from:-

- Mr Van Hal, the owner of 9 Highlands Close. In relation to trees with G4 of the order.

- 2.4 In response to this objection I spoke to Mr Van Hal at length on the phone and wrote to him regarding why the TPO was made. However, Mr Van Hal wished to maintain his objection. I have visited Mr Van Hal at his property and I have agreed that through a Tree work application process a large oak tree adjacent to his property could be crown reduced by up to 3m which would remove all encroachment of branches over his property and I have agree the removal of the smaller suppressed oak tree which is growing between his garden boundary and the larger tree.

3. THE TREES

- 3.1 There are 2 Oak trees within G4 (which consists of 1x Monterey Cypress, 8x English Oaks, 1x Sweet Chestnut, 3x Beech trees and 1x Turkey Oak) of the order Mr Van Hal would like to have removed from the TPO. A large mature oak tree and a smaller suppressed oak. As I have already agreed that the smaller tree can be removed the following points will relate to the large oak.

- 3.2 This Oak tree is one of the largest trees forming a linear group along the rear of Highlands Close. The physiological condition of the tree is good. There are no visible defects around the base of the tree. It is growing on a slope and is approximately 3m above the ground level of Mr Van-Hals garden. The tree is 20m tall with a 16m crown spread. This tree is 9-10m from the closest point of Mr Van-Hals house and approximately 5-6m from the garden boundary. The crown currently has a clearance of 3m from the property and the lateral branches encroaches the garden by 1.5-2m.
- 3.3 This tree has recently been surveyed by an arboricultural consultant who graded this tree as A1+2+3 using the tree quality assessment from BS5837:2012. Therefore this tree has been independently assessed by an experienced consultant as a particularly good example of its species, has particular visual importance in the woodland landscape feature and has significant historical value as a veteran tree.
- 3.4 The oak tree has been individually assessed using Tree Evaluation Method for Preservation Orders (TEMPO) as having a score of 23 which merits protecting this tree with a TPO.
- 3.5 This tree is estimated to be approximately 200 years old and this woodland group has been shown on historic maps dating back 1868 as part of the grounds of a grand house called 'White House' which was converted into the Hythe and Dibden War Memorial hospital in 1936.
- 3.6 This Oak tree is clearly visible from Highlands Close, Highlands Way and from within the hospital site. In the submitted planning application to redevelop the hospital site this mature tree has been noted as a particularly important feature to retain and recognises the importance of the tree as part of the distinctive character of the site. The accompanying landscape proposals for this site shows this tree as a feature with a plans to plant further trees around the site to ensure this verdant nature of the hospital is retained for future generations.
- 3.7 The proposed changes to the hospital site will include some ground level changes across the site to make the site more accessible for people with restricted mobility. The result of these level changes will increase the importance of this oak tree and the other trees within the group, G4 of the order, as screening between the hospital site and the private houses in Highland close.
- 3.8 The woodland groups surrounding this site also have an important role in reducing the local temperatures during hot summer weather. This tree is to the south west of the proposed hospital carpark and will provide vital shade to parked cars in the summer which is particularly important to vulnerable groups such as the elderly or those with long term chronic health conditions.
- 3.9 The oak tree along with other trees within this group make a significant contribution to slowing down rain water runoff into the storm drains therefore reducing the pressure on sewage infrastructure and reducing the likelihood of localised flooding. This is particularly important in this instance where the proposed development of the hospital site will result in a greater area of hard surfacing and increase the rainwater runoff in the area.
- 3.10 This Oak tree along with the other trees along the back of Highlands Close are providing important stability to the sloped bank between these properties. Removal of trees along this boundary may result in future instability of this bank. Removing or severely pruning this oak tree will alter the wind flow and loading on any remaining trees in the group this may potentially result in the increased likelihood for failure from the remaining trees and therefore increase the

likelihood of further tree removal from this important group of trees which would have longer term detrimental consequences for stability of the bank.

3. OBJECTIONS TO THE ORDER

3.1 Mr Van Hall Objected to the Order on 24th October 2017 and on the 11th December 2017.

3.2 Mr Van Hal's grounds for objection were as follows:

- The trees are too close to his property.
- He believes that there are tree roots under his foundations and damaging his property.
- He believes these trees are not properly maintained by the hospital trust and the TPO will prevent the hospital from taking appropriate management action.
- The trees shade his garden and house.
- He wishes to remove or heavily prune the trees.

4. COMMENTS ON THE GROUNDS FOR OBJECTION

4.1 A greater separation from Mr Van Hals property and the tree could be achieved through pruning. I have already advised Mr Van Hal that the tree could be reduced by 3m which will remove all encroachment of branches over his garden.

4.2 Mr Van Hal has not submitted any evidence of damage occurring to his property. Whilst on site there was no evidence of any damage at present. This tree is growing on a slope and this will influence the distribution and growth of the roots. Trees growing on a slope usually have more roots with a greater spread on the uphill side of the slope due to the mechanical stresses the slope creates. The majority of the trees roots and certainly the structural roots will be on the uphill side of the slope and it is likely that there would be a reduced root growth towards the house. Therefore there may be potential to install a root barrier along Mr Van Hal's garden boundary.

4.3 The TPO does not prevent reasonable management of the trees. The NHS as a responsible landowner have the trees on their land surveyed for health and safety. As result of a tree survey works will be carried out on an ad-hoc basis. The NHS or any other landowner has no obligation to prune the trees back from neighbouring properties and due to restricted budgets it is unlikely that the NHS will carry out works on trees other than for health and safety this is regardless of whether trees are covered by a Tree Preservation Order or not. However, Mr Van Hal can apply to carry out works and with permission from the hospital he can carry out pruning works to reduce the encroachment of branches over his garden at his own expense. Removing this tree from the Tree Preservation Order will not result in the NHS trust carrying out non-essential works to prune back a tree from a neighbouring property. In fact the TPO may give Mr Van Hal a stronger case to request works if he has consent from the local planning authority for reasonable routine pruning works may give greater weight to his case and increase the likelihood of the NHS agreeing to carrying out tree work.

4.4 The trees are to the north of Mr Van Hal's property and will have limited shading on Mr Van Hal's house and garden.

- 4.5 The TPO has been made to prevent the unnecessary removal of the healthy trees or inappropriate works that will reduce the amenity value and may result in the premature removal of this tree. Mr Van-Hal believes that if this oak tree was not protected then he or the NHS can carry out further works than I have already verbally agreed to. Any further works beyond a 3m reduction of the Oak is likely to reduce its amenity, likely to cause longer term structural defects in the tree and may ultimately lead to the premature removal of what is currently a specimen veteran tree which has been contributing to the amenity of this part of Dibden Purlieu for over a century and will be a prominent feature to the new hospital site.

5. SUPPORT FOR THE ORDER

- 5.1 No letters in support have been received.

Conclusion:

The Authority's Tree Officer takes the view that the protected Oak tree makes a positive contribution to public amenity and the character of the area which have been enjoyed by the public for over 100 years.

The tree is an important feature to the hospital site and inappropriate pruning or removal this tree will break up an important linear group.

Views of greens spaces and trees have been proven to reduce stress and anxiety. In hospital settings, such as the new diagnostic out-patients unit, the trees on this site have greater importance to the community in providing a relaxing back drop to a site where patients may be undergoing stressful medical procedures or receiving a stressful diagnosis. The value of green spaces and trees in improving health outcomes has been proven which makes all the trees on hospital sites an asset that improves health outcomes.

All of Mr Van Hals concerns can be addressed through reasonable pruning of the tree and therefore to exclude this tree from the TPO and potentially leave it vulnerable to severe pruning or removal would be detrimental to the amenity of the area and not in the best interest of surrounding area and the community.

Recommendation:

For the above reasons it is recommended that Tree Preservation Order 21/17 be confirmed without modification.

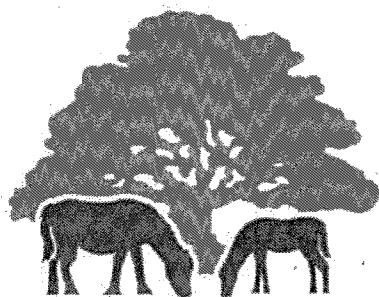
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TPO/0052/18

TREE OFFICERS REPORT

APPENDIX 1

AERIAL PHOTO OF SITE WITH TREE HIGHLIGHTED



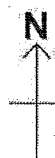
**NEW FOREST
NATIONAL PARK**

New Forest National Park Authority
Lymington Town Hall
Avenue Road
Lymington
SO41 9ZG

Tel: 01590 646600
Fax: 01590 646666

Date: 26/02/2018

Aerial photo



SCALE: 1:1500

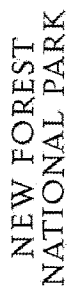
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TREE OFFICERS REPORT

APPENDIX 2

**TPO IN CONTEXT OF SURROUNDING AREA AND OTHER PROTECTED
TREES**



New Forest National Park Authority
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Avenue Road
Lymington
SO41 9ZG

Tel: 01590 646600
Fax: 01590 646666

Date Printed: 26/02/2018

Surrounding protected trees

SCALE: 1:3000

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Ordnance Survey 100014703



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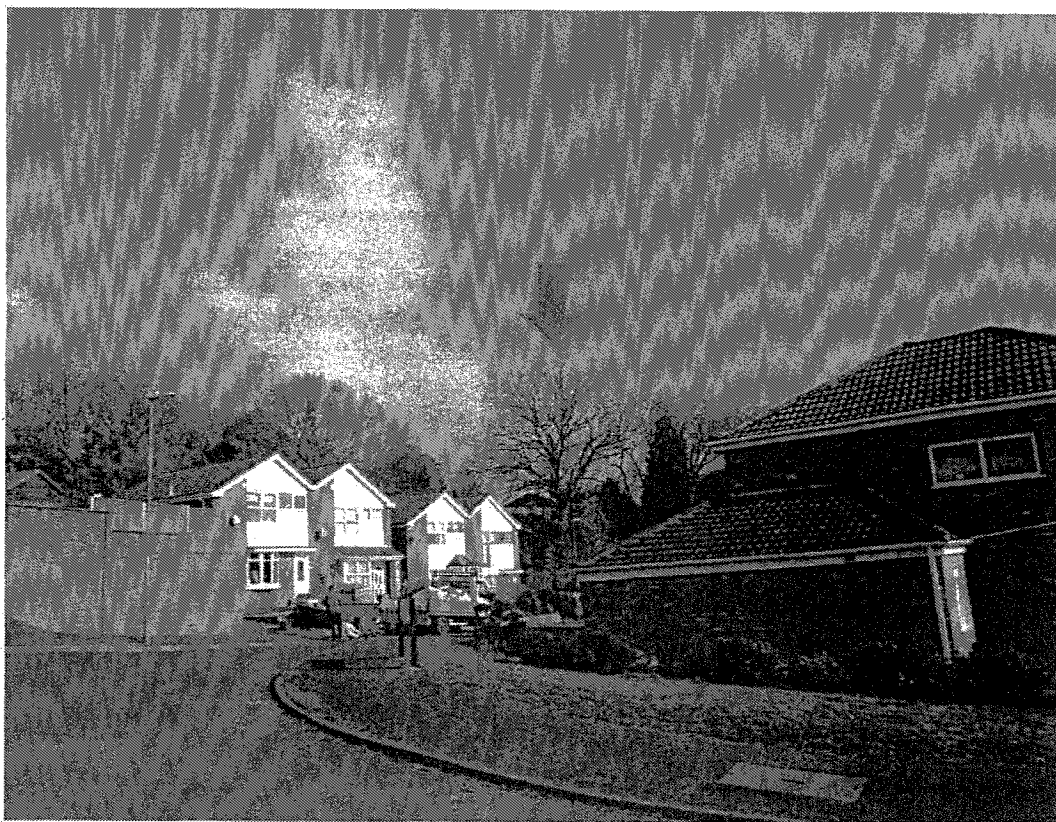
TREE OFFICERS REPORT

APPENDIX 3

PHOTOGRAPHS OF TREE



Oak tree within G4 of the TPO the largest tree within this important linear group.



View of the Oak tree from Highlands Way



View of the Oak tree from the hospital site as part of the planning proposals this grassed area will become a car parking area.

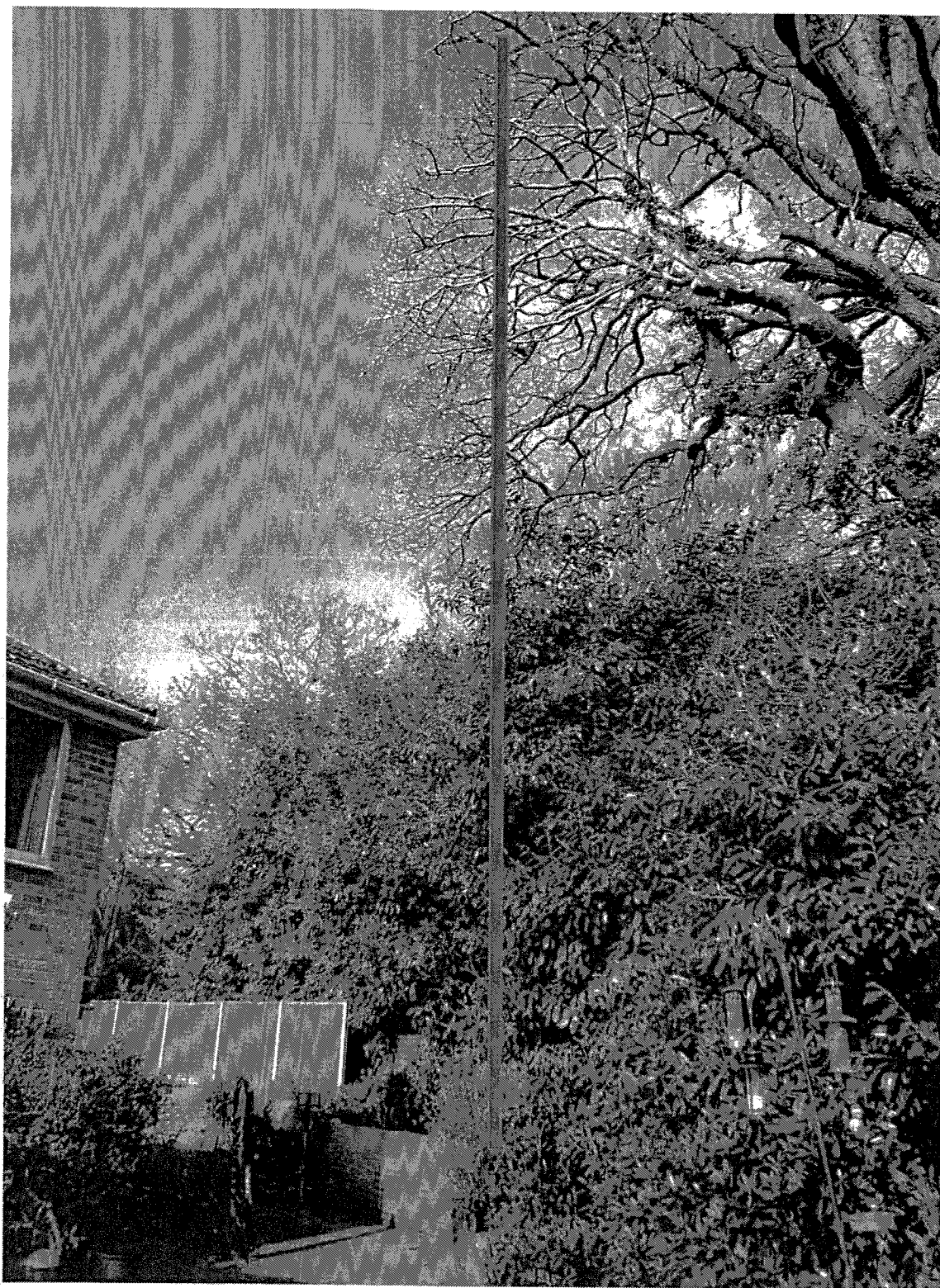


Photo showing the amount of encroachment over the garden boundary of 9 Highland Close.

APPEALS PANEL – 13 MARCH 2018

BRITISH STANDARD 5837:2012 TREE QUALITY ASSESSMENT

From BS5837:2012 Trees in relation to design, demolition and construction

Table 1 Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)	Identification on plan
Trees unsuitable for retention (see Note)		
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<ul style="list-style-type: none"> Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unstable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality <p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7.</i></p>	See Table 2
Trees to be considered for retention		
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years	1 Mainly arboricultural qualities Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	3 Mainly cultural values, including conservation Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	2 Mainly landscape qualities Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	2 Mainly landscape qualities Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees with no material conservation or other cultural value

APPEALS PANEL – 13 MARCH 2018

APPENDIX A

**TREE EVALUATION METHOD FOR PRESERVATION ORDERS
ASSESSMENT**

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date:	Surveyor: HC
Tree details TPO Ref (if applicable): PD0052/17 Tree/Group No: G4 Species: Oak Owner (if known): NHS Location: Rear of 9 Highlands close	

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair/satisfactory | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes

⑤ - Good health no major defects noted

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

⑤

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes

⑤

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | |
|--|
| 5) Principal components of formal arboricultural features, or veteran trees |
| 4) Tree groups, or principal members of groups important for their cohesion |
| 3) Trees with identifiable historic, commemorative or habitat importance |
| 2) Trees of particularly good form, especially if rare or unusual |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) |
| -1) Trees with poor form or which are generally unsuitable for their location |

Score & Notes

⑤ Veteran tree

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | |
|---|
| 5) Immediate threat to tree inc. s.211 Notice |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree |
| 1) Precautionary only |

Score & Notes

3 - Development of Hospital Site
Concern about inappropriate management from neighbouring properties

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

23

Decision:

Merits TPO.

APPEALS PANEL – 13 MARCH 2018

APPENDIX

HISTORICAL MAPS OF SITE

2.0 Assessment

Historic maps submitted in Design statement for planning application.

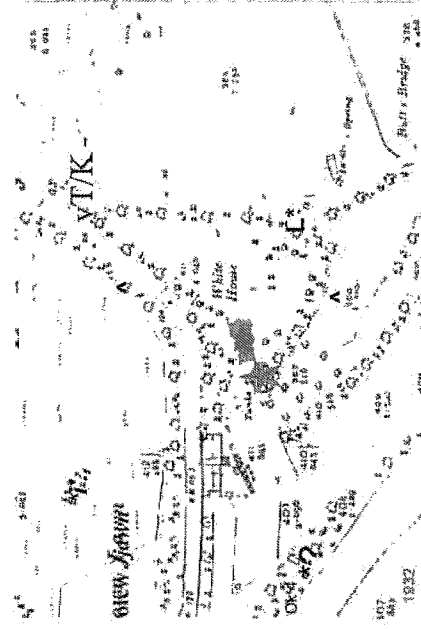
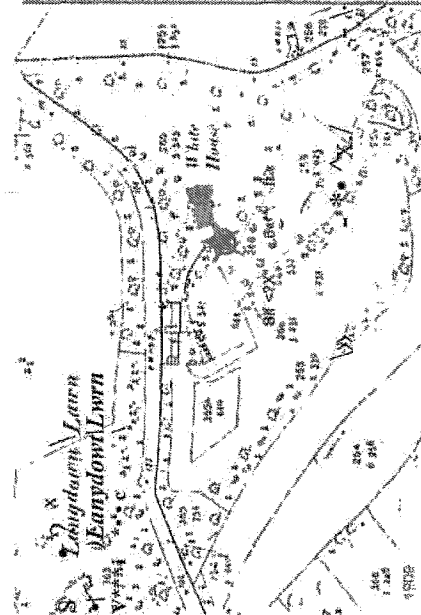
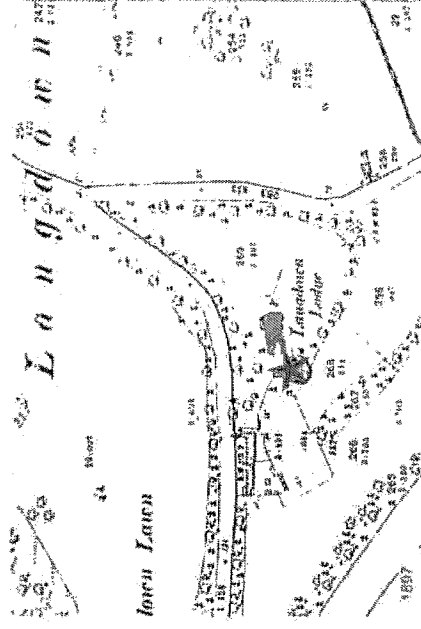
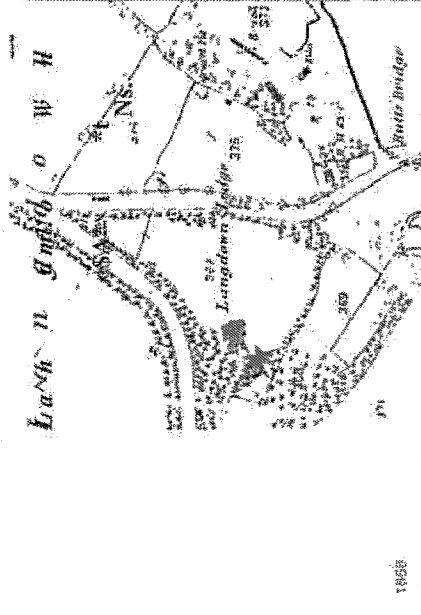


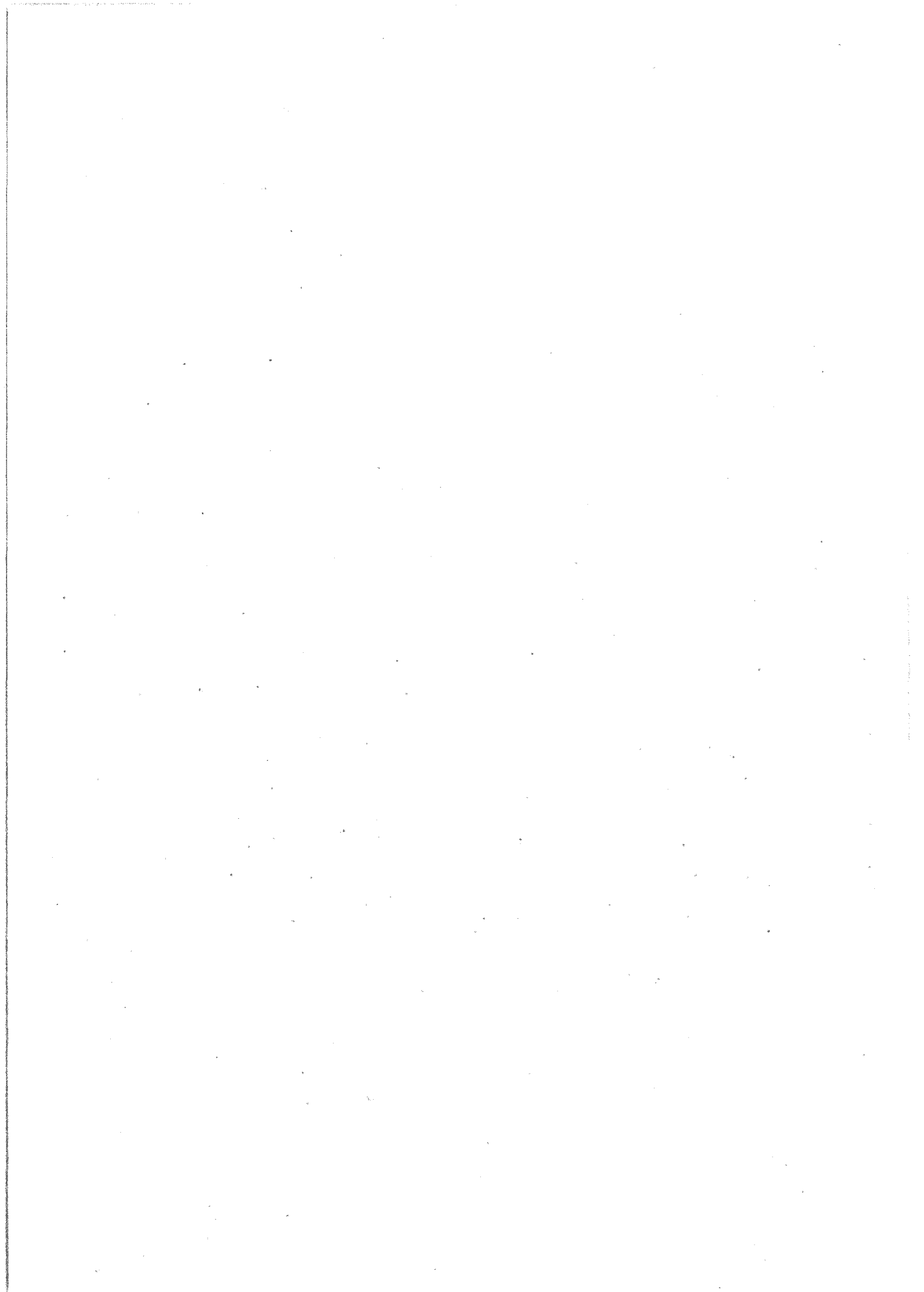
- Shows location of the tree.

2.4 Historic Maps

Historical maps, dating from 1868, show the presence of the existing hospital within a largely rural setting. This context remained largely unchanged until the second half of the last century.

Housing development subsequently surrounded the site. A larger health facility was created in the 1960s, through the addition of the health centre element to the east of the hospital. More recently, a GP surgery was constructed to the west of the site, sharing the main access from Beaulieu Road.





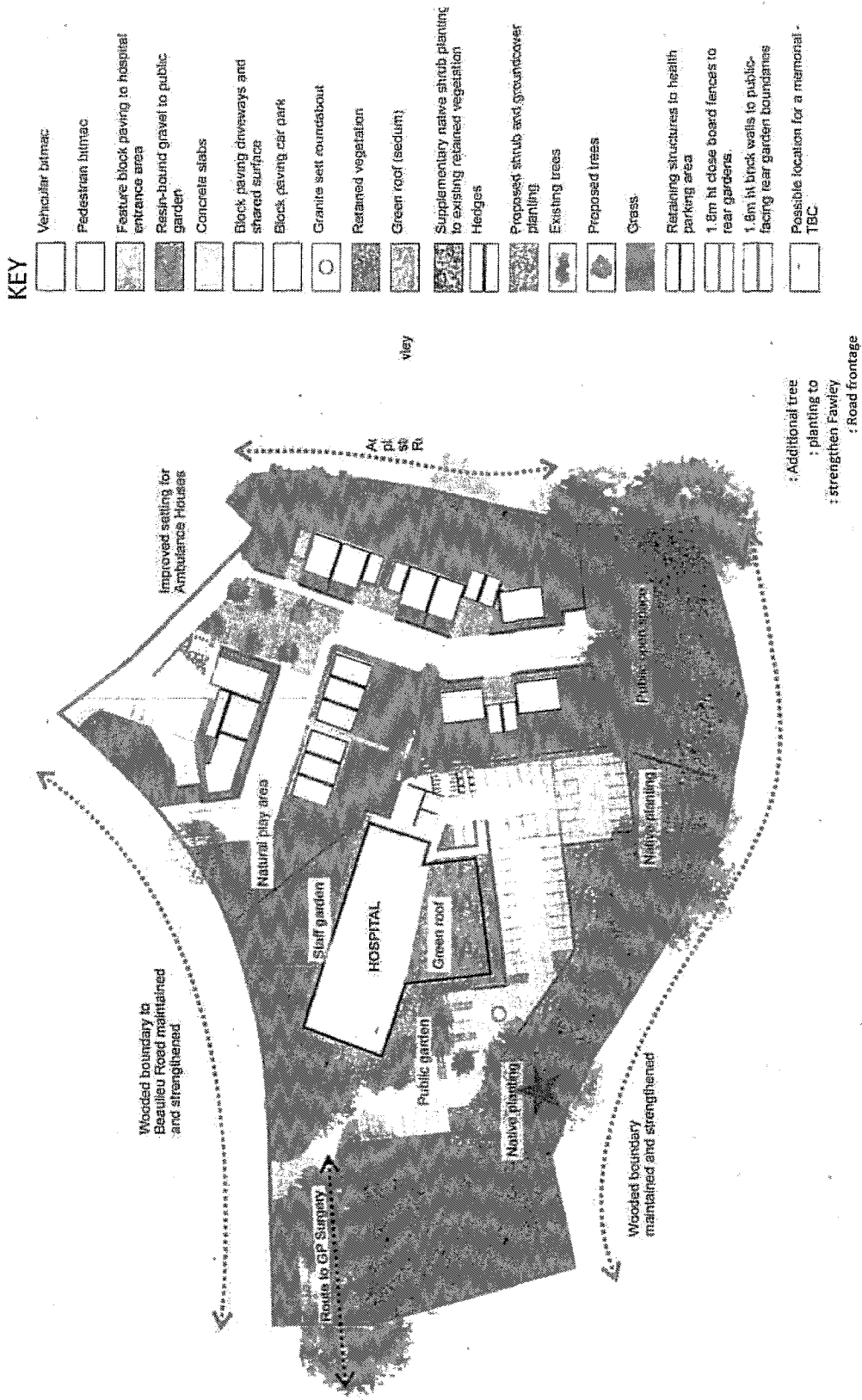
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FUTURE LANDSCAPE PROPOSALS FOR HOSPITAL SITE

9.0 Landscape

Landscape plan for site, with red star representing the oak tree.

9.2 Layout



project: Hythe War Memorial Hospital
drawing title: Landscape Strategy
drawing no: 1827-0002 Rev 2
date: 28.07.17

date 28.07.17



terrafirma