

TPO Objection Panel

TREE PRESERVATION ORDER TPO/0012/21

Site LAND OF 30 PARK ROAD, FORDINGBRIDGE.

Proposal To confirm Tree Preservation Order

Objector Mr Edmunds & Ms Jackie Mullard, 30 Park Road, Fordingbridge

Agent Not applicable

1. SUMMARY OF MAIN ISSUES

The key issues are

1. The public amenity value of the tree and its value to the wider community.
2. The expediency to protect this tree

2. TREE PRESERVATION ORDER HISTORY

The tree is a London Plane tree and situated on the southern boundary of the site, fronting Park Road, adjacent to the access drive to 30 Park Road.

The Tree Preservation Order ('TPO') was made as a result of a planning application 21/1093 for sub-dividing the plot and constructing a two-bedroom dwelling and associated parking. The London Plane would have been lost to this scheme. This planning application was refused.

The TPO was made on 23 September 2021.

The owners of the site, Mr Edmunds and Ms Mullard, put in writing their objections to the order.

3. The Tree

The TPO covers a single maturing London Plane tree. The tree is visible to Park Road, Whitsbury Road and Salisbury Road.

4. Objections to the Order

Mr Edmunds and Ms Mullard put their objections in writing by letter of 17 October 2021 and the main points are summarised below:

- They had the tree professionally planted in 2014, and the tree has now exceeded the size dimensions they were expecting. The tree is too large for its location and is overhanging the road.
- Amenity – the tree has been in situ less than 7 years and therefore should not be considered an amenity feature to the area.

APPENDIX 2

- No bird nests have ever been seen in this tree.
- Mr Edmunds and Ms Mullard planted this tree and feel they should be able to remove this tree if they should wish to do so.

5. COMMENTS ON THE GROUNDS FOR OBJECTION

- London plane is a large species tree that is famous for its tolerance of pollution and ability to grow in poor rooting environments. Although the tree is beginning to overhang the highway, this species is very tolerant of pruning and can be crown lifted to ensure that the tree is not causing an obstruction. The imposition of the TPO does not prevent reasonable tree management.
- Amenity – this is not defined within the TPO legislation although it does include the circumstances where a tree, group of trees or woodland are visible from a publicly accessible place. The individual London Plane tree subject to this TPO is clearly visible from the public highway. Although this tree is young it has become well established and is already contributing significantly to the street scene. It is noted within the government guidance “Tree Preservation Order and trees in conservation areas” (the ‘DCLG Guidance’ published 6 March 2004) , that local authorities should be able to show that “*protection would bring a reasonable degree of public benefit in the present or future*”. If this tree is protected and retained, it is likely that the public amenity value it provides will increase in the future.
- An additional benefit of retaining trees in towns is increasing biodiversity by providing a food source or habitat for wildlife. Although, to date, birds may not have nested in this tree, this tree will be attracting invertebrates and other creatures. However, this is just one consideration when assessing a tree for its suitability for a TPO and the over-riding consideration is the level of amenity the tree provides.
- The objectors feel they should be able to remove this tree if they wish to, as they had planted the tree themselves. However, many of the trees with high value amenity in our urban landscape were planted by landowners in the past. If young trees are continually removed or not allowed to reach maturing, there will be no future tree stock for future generations to enjoy.

6. POLICIES

Relevant Legislation

Town and Country Planning (Tree Preservation) (England) Regulations 2012

7. PLANNING HISTORY

21/10903 – Two-Bedroom dwelling; associated parking; new parking surface for number 30 – Refused.

8. PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council

No comments submitted

9. COUNCILLOR COMMENTS

None

10. CONSULTEE COMMENTS

None

11. REPRESENTATIONS RECEIVED

None

12. RECOMMENDATIONS

A local planning authority may only make a TPO where it appears to the authority that it is expedient to protect a tree or woodland in the interests of amenity.

This London Plane tree clearly contributes to the amenity of the area. Without the protection of this TPO there is a risk that the tree will be removed in order to facilitate development or due to the perception that it will grow too large. Therefore, in the interest of public amenity it is expedient to confirm this TPO.

For further information contact:

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