

## Agenda Item 8

Development Services  
Salisbury District Council, 61 Wyndham Road,  
Salisbury, Wiltshire SP1 3AH

Officer to contact: Shane Verrion  
*direct line:* 01722 434382  
*email:* developmentcontrol@salisbury.gov.uk  
*web:* www.salisbury.gov.uk

# Report

**Report subject:** Tree Preservation Order 369, Manor Cottage, Cholderton

**Report to:** Northern Area Committee

**Date:** 7 September 2006

**Author:** Shane Verrion

---

### **Purpose of Report:**

This item is before Members to consider TPO369 which has been the subject of objections.

### **Background:**

TPO369 was made on the 21<sup>st</sup> March 2006 after an application was received to fell a Sycamore and an Ash tree that were situated in the garden of Manor Cottage, Cholderton, which is in a Conservation Area.

The TPO is an Area Order which covers all trees of whatever species in the grounds of Manor Cottage.

Overhead electricity cables (believed to be 11,000 volts) run through the plot, closely between the Sycamore and the Ash tree.

Damage has been caused to the base of one of the trees since the TPO has been applied but there is no conclusive evidence as to who was responsible so no further action is to be taken.

### **Objections:**

Six objections were received at the time of the application to fell trees in a Conservation Area.

Mr Lyons and Mrs Cocking – The Crown Inn, Cholderton

Mr Stodart – St Nicholas Cottage, Cholderton

S Mead – The Manor House, Cholderton



Awarded in:  
Housing Services  
Waste and Recycling Services



Mrs Clarke – Drybrook Lodge, Cholderton

Col and Mrs Eddison – Butterflies, Old Barns, Cholderton

Mrs Cornelius-Reid – Cholderton House, Cholderton

All objected to the loss of the trees. It was generally felt that, if felled, there would be a loss to the leafy character of a conservation area. Furthermore, concerns were raised about the effect on the water-table, noise pollution, security issues and the possibility the site is being cleared for development.

Mrs Walters of Manor Cottage, Cholderton has objected to the application of a tree preservation order on the grounds that the Ash and the Sycamore trees are situated on operational land as defined in section 263 of the Town & Country Planning Act 1990. As such, work on the trees is exempt from the order.

**Comments on objection:**

The trees do add to the leafy character of the conservation area and that they do assist in preventing noise pollution. However, the effect two semi-mature trees will have on the water table is minimal and I believe the security issues relate more to the other trees around the perimeter of the site.

If the intention is to clear the site for future development, this is a separate issue, which should be considered through the appropriate channels. The trees should be judged on their own merits.

Work on the trees by contractors authorised by the electricity company is exempt from the Tree Preservation Order under Exemptions section 5 (f). Significant pruning is believed to have been carried out under this exemption early in 2006.

**Conclusion:**

The Ash and Sycamore trees in question are both semi-mature and not particularly good examples of their species. They have been pruned considerably and will require continual pruning, in the future, to maintain their distance from the overhead electricity cables.

Trees cannot heal wounds caused by pruning. Instead they attempt to compartmentalise the dead wood, to prevent decay, by sealing off the damaged area. Not all wounds will be successfully 'sealed off' and a degree of decay is inevitable.

Overtime, decay leads to structural weakness and as the tree grows this will lead to vulnerability to wind damage. In turn more pruning will be required to keep the trees safe.

Under the circumstances I feel it is impractical to try to protect the trees with a tree preservation order.

Instead, I believe the focus should be on the three trees close to the edge of the site on the boundary with the Crown Inn (2 Ash and a Horse Chestnut). These trees are mature, good examples of their species, in apparently good health and are not affected by the close proximity of electricity cables.

These three trees are currently protected by the Conservation Area, which at present seems adequate. However, should any future development threaten their existence I believe individual protection would be warranted.

The Sycamore and the Ash do have an influence on the character of the conservation area but given the greater size and the position of the 3 mature trees, and the trees on the other side of Manor Cottage, their loss would only be obvious from directly in front of the property.

**Options for consideration:**

Members should decide whether to confirm the order to make it permanent.

Members therefore have the following options:

- a) **Confirm Tree Preservation order 369**
- b) **Not confirm Tree Preservation order 369**, with the effect that the Ash and the Sycamore tree will not be protected.
- c) **Instigate a new Tree Preservation Order to cover the three mature trees on site (2 Ash and 1 Horse Chestnut – close to boundary between Manor Cottage and the Crown Inn).**

**Recommendations:**

That Tree Preservation Order 369 should not be confirmed. The remainder of the trees on site will be covered by the protection offered by the Conservation Area.

**Other Representations:**

Objections received – see report

**Implications:**

- **Financial:** None
- **Legal:** In Report
- **Personnel:** None
- **Community Safety:** None
- **Wards Affected:** Upper Bourne