

PLANNING COMMITTEE – 27 JUNE 2023

**CONFIRMATION OF TREE PRESERVATION ORDER REF. TPO/0010/2023 – LAND TO THE FRONT OF MAYBURY WOOD COTTAGE, THE RIDGE, WOKING, GU22 7EG**

**Executive Summary**

The purpose of this report is to recommend to the Committee that a Tree Preservation Order be confirmed following the receipt of one letter of objection and two letters of support to the making of the Order. The Tree Preservation Order protects three Lime trees on land to the front of Maybury Wood Cottage, The Ridge, Woking, GU22 7EG

**Recommendations**

The Committee is requested to:

**RESOLVE that** Tree Preservation Order Ref. TPO/0010/2023 be confirmed without modification

<b>This Committee has authority to determine the above recommendations.</b>
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**Background Papers:**

Plan from Tree Preservation Order showing location of tree

Letters of objection:  
Greg and Penny Choyce

Letters of Support:  
Chris Tait  
Jan Tait

**Reporting Officer:**

Thomas James  
Ext. (74)3435, E Mail: Thomas.james@woking.gov.uk

**Contact Officer:**

Dave Frye, Arboricultural Officer  
Ext. (74)3749, E Mail dave.frye@woking.gov.uk

## Introduction

A Tree Preservation Order was made on 15<sup>th</sup> March 2023 to three Lime trees on land to the front of Maybury Wood Cottage, The Ridge, Woking, GU22 7EG **Appendix 1.**

**1.1** The plan showing the site location **Appendix 2.**

**1.2** One objection and two supporting statements were received to the making of the Tree Preservation Order. These are show in **Appendix 3.**

**1.3** Notwithstanding the objections received to the making of the Tree Preservation Order, the recommendation is that it be confirmed without modification.

## **2.0 Background Information**

**2.1** Maybury Wood Cottage is situated on a private road in a residential area. This road connects in three directions to two public roads, these roads being Pembroke Road and Maybury Hill **Appendix 2.**

**2.2** On the 7th Feb 2023 the council received a planning application for the subdivision of existing plot at Maybury Wood Cottage and erection of a detached, 2 storey dwelling and associated landscaping works REF:PLAN/2023/0057.

During the consultation process of planning applications, the councils tree officer are advised that a proposal has been submitted. A site visit is then undertaken to assess the likely impact the development may have on trees. If it is felt that trees may be affected by the proposed an assessment is undertaken to determine if the loss of those trees would be of detriment to the character of the area. If it is determined that there would be a negative result from tree loss then a TPO may be issued.

**2.3** The trees sit in front of the proposed location for the new dwelling. Given the foreseeable threat to the trees as a result of development a TPO was issued.

## **3.0 Letters of objection**

**4.0** One letter of objection was received by the Council on the 20<sup>th</sup> March 2023 by Greg and Penny Choyce **Appendix 3.**

**4.1** There objection disagrees that the trees are of high amenity value and that the trees are a nuisance and should therefore not be protected by a TPO

**4.2** The objection also states that if the TPO prevents the construction of a quality detached house then removal of these trees would be supported.

**4.3** Grounds for objection –

- At street level the trunks are undistinguished in comparison to other tree species such as Redwoods.
- At high levels, the trees lack the appeal that mature Oaks in the Heathlands and the Cedars in Chailey House, Ridgeway House and Maybury Knowle have in them.
- If it is necessary for the trees to be cut down to allow for the development of a quality detached house then there would support for their removal.

#### 4.4 Supporting statement (Chris Tait) **Appendix 3** -

- This statement outlines the overall character of the area and accepts there have been changes to many houses in The Ridge. It also states that the trees form an integral part of the Ridge's character and should be retained.
- The supporting statement also states that the trees add so much character and have a positive impact on the street scene.

#### 4.5 Supporting statement (Jan Tait) **Appendix 3** -

- The trees in question are a lovely part of the neighbourhood and have high amenity value and they make a significant contribution to the leafy character of The Ridge.
- The supporting statement is neutral in reference to the proposed development at Maybury Wood Cottage but has stated that any entry/exit point should avoid destruction to the trees and wall.

#### 4.6 **The Tree Officer's response to the objections received is as follows:**

- The trees amenity can be justified by the fact that they are located to the front of the property adjacent to the road. Whilst the road is private and does not act as a through road from one public area to another, there are multiple residential properties which can see the trees and would be affected by their removal.
- The sylvan character of the area is considered to be high and all trees which are protected in the area add to the value of the local treescape. The three lime trees in question add to that sylvan character. When considered individually it could be considered that there are other trees in the area which will continue to add to the local treescape, however, it is important to consider that it is a collection of individual trees which create a sylvan treescape. Therefore the loss of these trees may encourage further tree loss in the area and ultimately reduce the sylvan character of the area.
- The council has carried out a TEMPO assessment **Appendix 4** which has determined that a TPO is "Definitely merits TPO". As identified within the TEMPO guidance notes a definitely merits TPO is "trees scoring 16 or more are those that have passed both the amenity and expediency assessments, where the application of a TPO is fully justified based on the field assessment exercise".

#### 5.0 **Implications**

##### Financial

5.1 None

##### Human Resource/Training and Development

5.2 None

##### Environmental/Sustainability

#### 6.0 **Conclusions**

6.1 Given the trees high public amenity value and the threat from removal, protection of the trees is considered appropriate and it is recommended that the Tree Preservation Order be confirmed without modification.

REPORT ENDS



**Woking Borough Council**

*Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL*

**TOWN AND COUNTRY PLANNING (Tree Preservation) (England)  
Regulations 2012**

**TREE PRESERVATION ORDER**

**Town and Country Planning Act 1990**

**The Land to the Front of Maybury Wood Cottage The Ridge Woking (TPO/0010/2023)**

The Woking Borough Council, in exercise of the powers conferred on them by section of the Town and Country Planning Act 1990 hereby make the following Order—

**Citation**

1. This Order may be cited as the Land to the Front of Maybury Wood Cottage The Ridge Woking (TPO/0010/2023).

**Interpretation**

2.

1. In this Order “the authority” means the Woking Borough Council.
2. In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

3.

1. Subject to article 4, this Order takes effect provisionally on the date on which it is made.
2. Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
  - a. cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - b. cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**



4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

**Arboricultural Officer Signature**

Signed:  \_\_\_\_\_

Printed: JAMES VIKATS

Date: 15/3/2023

**Authorised Officer Signature:**

I endorse the action taken by the Authorised Officer.

Signed:  \_\_\_\_\_

Printed: D FREELAND

Date: 15/3/23





**SCHEDULE**

**SPECIFICATION OF TREES**

**Trees specified individually**

(encircled in black on the map)

Reference on map	Description	Situation
T1	Lime tree	Mature Lime approx 18m tall with a DBH of 800mm
T2	Lime tree	Mature Lime approx 18m tall with a DBH of 800mm
T3	Lime tree	Mature Lime approx 18m tall with a DBH of 800mm

**Trees specified by reference to an area**

(within a dotted black line on the map)

Reference on map	Description	Situation
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**Groups of trees**

(within a broken black line on the map)

Reference on map	Description	Situation
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**Woodlands**

(within a continuous black line on the map)

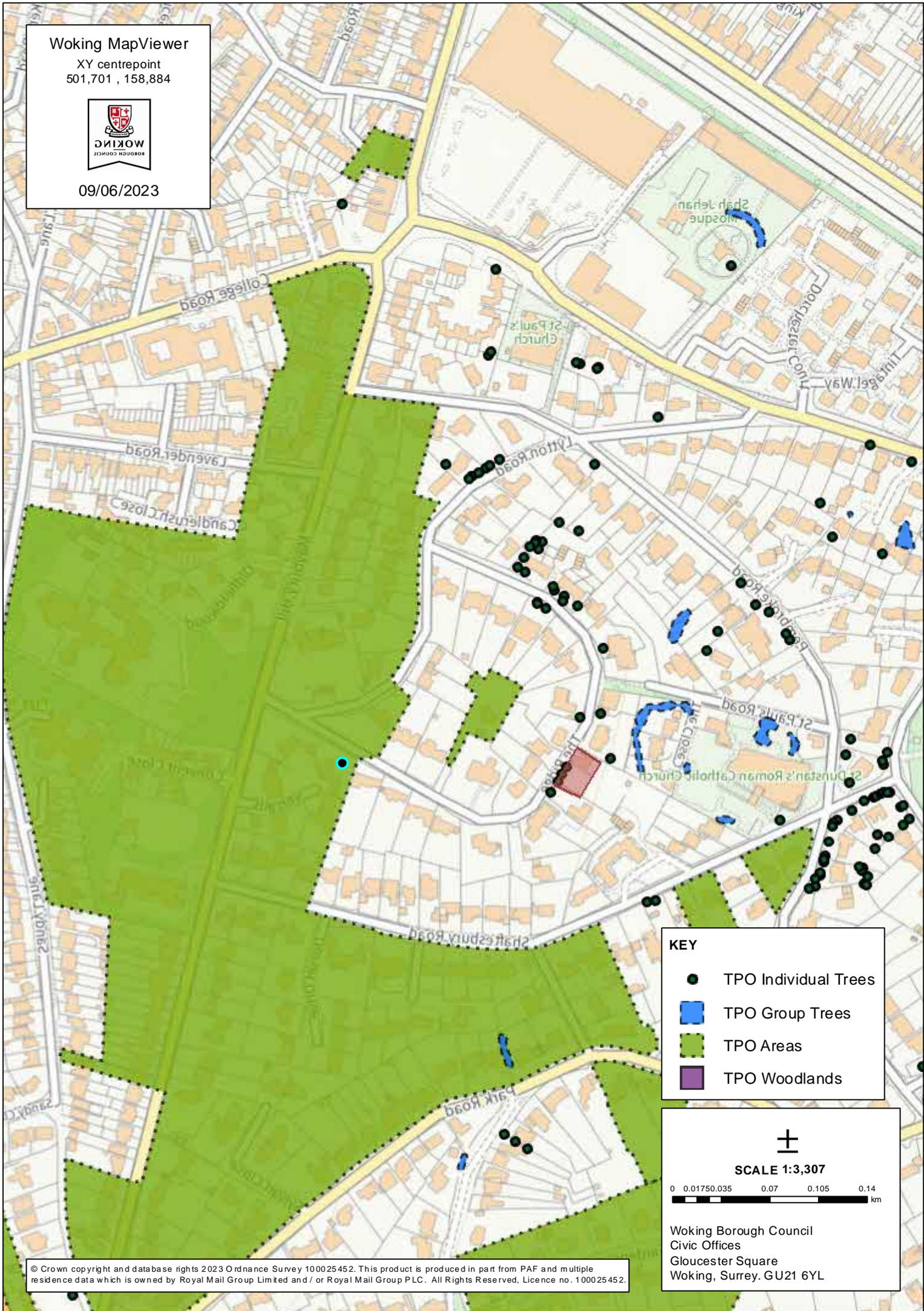
Reference on map	Description	Situation
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Woking MapViewer

XY centrepnt  
501,701 , 158,884



09/06/2023

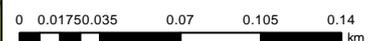


KEY

- TPO Individual Trees
- TPO Group Trees
- TPO Areas
- TPO Woodlands



SCALE 1:3,307



Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey. GU21 6YL

Christine Duplock

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From: James Veats  
Sent: 20 March 2023 14:51  
To: Christine Duplock  
Subject: FW: TPO/0010/2023

Hi Christine ,  
Please can this email be attached to the TPO as an objection. We shall have to take this to committee prior to confirming.  
Many thanks  
James

James Veats | Senior Arboricultural Officer | Planning Services | Phone: 01483 743739

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Woking Borough Council, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL  
Phone: 01483 755855 | Web: [www.woking.gov.uk](http://www.woking.gov.uk)  
For general enquiries, please call Woking Borough Council's Contact Centre on 01483 755855

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[REDACTED]  
Sent: 20 March 2023 14:32  
To: James Veats <James.Veats@woking.gov.uk>  
Subject: TPO/0010/2023

Dear Mr Veats

We refer to the notice we received last week, saying that three limes trees have been made subject to a TPO, prompted it seems by a planning application to erect a new detached house in the grounds of Maybury Wood Cottage.

We live opposite the lime trees. Our position is that the trees should not be protected if that would prevent the planning application being granted.

It is difficult to know how to counter the assertion (unevidenced) in the notice that the trees have 'high public amenity value' and 'make a significant contribution to the character of the area'. All we can say if we disagree, as follows. At street level, which is what most people passing by will see, the trunks are undistinguished unlike say a redwood or a catanea. At a higher level, the trees lack the appeal of the mature oaks in Heathlands or the nearby cedars in Chailey House, Ridgeway House and Maybury Knowle.

At a practical level, the trees are a nuisance. They drop unattractive and hard to clean yellow/lime pollen for several months over the summer. They are also a cause of hay fever in our family. In high winds they have shed branches including on occasion large ones which have struck our cars.

In short, if it is necessary for the trees to be cut down to allow a quality detached house to be built, we would support their removal.

Please could you confirm that our comments will be taken into account by the Council when deciding on the future of the TPO.

Regards

[REDACTED]

Christine Duplock

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From: James Veats  
Sent: 11 April 2023 09:25  
To: Christine Duplock  
Subject: FW: TPO/0010/2023

Hi Christine,  
Please can you add this to the file.  
Many thanks  
James

James Veats | Senior Arboricultural Officer | Planning Services | Phone: 01483 743739

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[REDACTED]  
Sent: 10 April 2023 20:29  
To: James Veats <James.Veats@woking.gov.uk>  
Cc: Wokbc <Woking.BC@woking.gov.uk>  
Subject: TPO/0010/2023

Dear Mr Veats,

Re TPO/0010/2023- Land to the front of Maybury Wood Cottage, The Ridge, GU22 7EG

As a resident of the Ridge, in my opinion, the trees in question are a lovely part of the neighbourhood and have high public amenity value, making a significant contribution to the leafy character of The Ridge. I would therefore like them to be retained.

My comments on the planning application for a further house on the divided land of Maybury Wood Cottage are neutral, but I would like the applicant to consider an alternative entry/exit point if at all possible, to avoid the destruction of the trees and attractive wall.

Kind regards,

Jan Tait [REDACTED]

Christine Duplock

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From: James Veats  
Sent: 11 April 2023 09:26  
To: Christine Duplock  
Subject: FW: Re TPO/0010/2023- Land to the front of Maybury Wood Cottage, The Ridge, GU22 7EG

And this one as well. Many thanks

James Veats | Senior Arboricultural Officer | Planning Services | Phone: 01483 743739

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[REDACTED]

Sent: 10 April 2023 20:21  
To: James Veats <James.Veats@woking.gov.uk>  
Subject: Re TPO/0010/2023- Land to the front of Maybury Wood Cottage, The Ridge, GU22 7EG

Dear Mr Veats, re the trees mentioned above.

I live in The Ridge and understand that there has been a temporary TPO placed on the three trees. I would like to say that I support the retention of the TPO as the trees form an integral part of the Ridge's character. Their height and spacing show that, whilst there have been many changes to the houses in the road, The Ridge itself has been established for many years. They help retain its Arcadian feel.

I realise that the removal of the trees is a part of a planning application at Maybury Wood Cottage. I have written on that subject (remaining neutral) but can see that there may be a way of achieving the proposer's aims without removing these three mature trees.

With many changes to the housing stock in The Ridge I would urge the council to retain the TPO so that these trees can continue to add so much character and positive impact to the street scene.

Can you please confirm receipt?

Thank you

Regards

Chris Tait

[REDACTED]

TEMPO ASSESSMENT	
Date: 15th March 2023	Surveyor: DF
Tree Details: Three lime trees to the front	
Part 1: Amenity assessment	SCORE
<b>a) Condition &amp; suitability for</b> 5) Good - <b>Highly suitable</b> 3) Fair/satisfactory - <b>Suitable</b> 1) Poor - <b>Unlikely to be suitable</b> 0) Dead/dying/dangerous* - <b>Unsuitable</b> * Relates to existing context and is intended to apply to severe irremediable defects only	5
<b>b) Retention span (in years) &amp; suitability for TPO</b> 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	4
<b>c) Relative public visibility &amp; suitability for TPO</b> 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	4
<b>d) Other factors</b> <b>Trees must have accrued 7 or more points (with no zero score) to qualify</b> 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	4
Part 2: Expediency assessment	
<b>Trees must have accrued 10 or more points to qualify</b> 5) Immediate threat to tree inc. s.211 Notice 3) Foreseeable threat to tree 2) Perceived threat to tree 1) Precautionary only	2
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	19
<b>Decision</b>	<b>Definitely Merits TPO</b>
<b>Further Information:</b>	
Tree is subject to a planning application Footpaths and visible from road Group of trees	