

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 24/00230/TPO
Proposal Description: 1206 Poplar - Remove.
1207 Poplar - Remove.
1209 Poplar - Remove.
1210 Poplar - Remove.
1211 Poplar - Remove.
1212 Poplar - Remove.
Replacement planting to be agreed within the planning authority.
Address: New House Down Farm Lane Headbourne Worthy Winchester Hampshire
Parish, or Ward if within Winchester City: Headbourne Worthy
Applicants Name: J Gualano
Case Officer: John Bartlett
Date Valid: 31 January 2024
Recommendation: Refuse Application
Pre Application Advice Yes

Link to Planning Documents

[Link to page – enter in reference number 24/00230/TPO](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

This application is recommended for refusal as insufficient justification has been provided for the removal of these mature Poplar trees which have a high amenity value. The proposal would also be contrary to criteria (v) of policy DM15 (Local Distinctiveness) of the adopted Winchester District Local Plan Part 2, 2017 and Winchester City Councils Climate Emergency Policy.

General Comments

The application is reported to Committee due to the nine (9) letters of support received contrary to the Officer's recommendation.

Site Description

These six Poplar trees are located in the front garden of this property and on land adjacent to the property boundary and the highway. The furthest tree to the south (T1212) is not protected by this TPO. These trees can be clearly seen as a group of trees from Down Fam Lane and a number of other public viewpoints. With this in mind, the five protected trees have a high public visual amenity value as a group.

Proposal

Fell six Poplar trees

Relevant Planning History

Five of the subject Poplar trees (T1206, 1207, 1209, 1210, and 1211 on the tree survey) are protected by TPO 1347 which was made in 1991.

A number of previous tree works applications have been received for these trees as listed below:-

02/00447/TPO - (AMENDED DESCRIPTION) Fell five Poplar trees and one Alder tree

Decision: Application refused

02/01576/TPO - Felling three Poplar trees and one Alder tree

Decision: Application refused

02/02661/TPO - (AMENDED DESCRIPTION) Crown lift to eight feet two Horsechestnut and crown lift to eighteen feet five Poplar trees.

02/02662/TPO - Fell two Poplar trees

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Decision: Application withdrawn

02/02663/TPO - Fell one Poplar tree

Decision: Application withdrawn

02/02664/TPO - Fell two Poplar trees

Decision: Application withdrawn

05/01628/TPO - Crown lift 5 No. Poplar Trees, 1 No. Ash and 1 No. Beech

Decision: Application permitted

10/01900/TPO - 2010. 4no. Black Poplar fell. 2013 2no. Black Poplar fell. 2no. Ash fell. 1no. Lombardy Poplar fell.

Decision: Application permitted

Consultations

A standard consultation was sent in relation to this application to all nearby neighbours who could be affected.

Representations:

Councillors – Cllr Jackie Porter, The Worthys Ward (Appendix 1)

Summary of supporting representations received from different addresses citing the following material planning reasons:.

- The trees are now oversized and a similar tree has recently been blown down during high winds, falling across a road.
- The trees submitted for removal pose a risk to life and property, particularly with the more frequent strong winds that we are encountering.
- Damage to the applicant's and neighbouring properties has recently occurred due to a falling poplar tree.
- Removal of the remaining trees will avoid risk of further damage.

Relevant Government Planning Policy and Guidance

Tree Preservation Orders and trees in conservation areas

Website:- <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

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Winchester City Councils tree strategy

Website:- <https://www.winchester.gov.uk/planning/trees>

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1). DS1 – Development Strategy and Principles

CP13, CP15, CP16 & CP20

Website:- <https://www.winchester.gov.uk/planning-policy/winchester-district-local-plan-2011-2036-adopted/local-plan-part-1-joint-core-strategy-adopted-march-2013-local-plan-review-2006/local-plan-part-1-joint-core-strategy-adopted-2013>

Winchester District Local Plan Part 2 – Development Management and Site Allocations

DM 24

Website:- <https://www.winchester.gov.uk/planning-policy/winchester-district-local-plan-2011-2036-adopted/local-plan-part-2-development-management-allocations>

Other relevant documents

CLIMATE EMERGENCY DECLARATION CARBON NEUTRALITY ACTION PLAN 2020 – 2030

Statement of Community Involvement 2018 and 2020

Website:- <https://www.winchester.gov.uk/climate-change-and-energy/carbon-neutrality-action-plan>

Planning Considerations

These mature Poplar trees can be clearly seen from a number of public standpoints, so have a good public visual amenity value as a group. The removal of these five protected Poplar trees would have a significant detrimental impact on the landscape and character of the local area.

The Secretary of State's view is in general terms that it follows that the higher amenity value of the tree or woodland and the greater any negative impact of proposed works on amenity, the stronger the reasons needed before consent is granted.

An arboricultural report has been provided from an appropriate expert as supporting evidence to remove these trees. However, there is insufficient arboricultural justification or arboricultural justification or technical diagnostic information to demonstrate that the trees have major decay or a major structural defect which shows that the subject trees are likely to be structurally unsafe or dangerous. We would expect to see this information to be provided as part of the arboricultural evidence provided as set out in section 8 of the application form.

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The council would consider a new application if there is further arboricultural justification provided to fell these trees.

Impact on character and appearance of area

The removal of these mature Poplar trees would have a significant negative impact on the visual amenity value and character of the area as they can be viewed from a number of public viewpoints including footpaths and adjacent roads. They also form a prominent feature in the landscape and can be clearly seen above the roofline, especially when entering Springvale Road on the junction with Bedfield Lane.

These trees have also taken on more importance in the landscape since the removal of three mature Poplars in the side garden area.

Ecology and Biodiversity

If these trees are removed, there would be a negative impact as these trees support a number of different species of insects and birds providing food and shelter.

Recommendation

Refuse application for the following reason (s):

1. The trees form an integral part of the street scene and make a significant contribution to the amenity value of the area as a group. The proposed removal of these trees would be significantly detrimental to the amenity value of the area and will negatively affect the street scene.

The proposal would be contrary to criteria (v) of policy DM15 (Local Distinctiveness) of the adopted Winchester District Local Plan Part 2, 2017

2. The Secretary of State's view of which is: In general terms, it follows that the higher the amenity value of the tree or woodland and the greater any negative impact of proposed works on amenity, the stronger the reasons needed before consent is granted.

3. Insufficient arboricultural justification or technical diagnostic information has been submitted to support the application to confirm that the subject trees are likely to be structurally unsafe or dangerous.

The proposal would be contrary to criteria (v) of policy DM15 (Local Distinctiveness) of the adopted Winchester District Local Plan Part 2, 2017

The proposal would be contrary to Winchester City Council's Climate Emergency Policy

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Appendix 1

I support this TPO application. During the wet weather ion Jan/Feb, one tree fell and landed on other houses, electricity cables and just missed family bedrooms and study.

I would like to see a tree planting plan to replace with appropriate trees in the fullness of time.

Trees in this area soak up some of the ground water, but also create a real hazard when they rot at or near the base.

kindest regards

Cllr Jackie Porter