Case No: 19/01767/TPO

Proposal Description: 4 No. Beech (G1) - Reduce back overhanging branches on the

west canopy extents only, by up to a maximum of 2m back to suitable growth points. Crown lift up to 5m (west canopy extents) by the removal of tertiary and secondary branches only

(maximum thickness 50mm). Reason: To reduce dominance

over Gunn-Barrell Estate.

Address: Woody Lodge Alresford Drove South Wonston Winchester

Hampshire

Parish, or Ward if within South Wonston

Winchester City:

Applicants Name: Mr Memory
Case Officer: Lloyd Fursdon
Date Valid: 23 August 2019
Recommendation: Application permit



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General Comments

The application is reported to the Planning Committee as six objections have been received.

Site Description

Woody Lodge is located within the parish of South Wonston, on the fringe to the north east of the main settlement. The property is situated on the south side of Alresford Drove; the north side opens out to agricultural fields and countryside.

This application specifically relates to four mature beech trees situated along the western boundary adjacent to the neighbouring property known as Gunn-Barrell Estate.

The applicant's property (Gunn-Barrell Estate) adjoins the tree owner's property (Woody Lodge) on the boundary between the two properties. The trees' canopy extends over the boundary in a westerly direction by approximately 5m.

Proposal

4 No. Beech (G1) - Reduce back overhanging branches on the west canopy extents only, by up to a maximum of 2m back to suitable growth points. Crown lift up to 5m (west canopy extents) by the removal of tertiary and secondary branches only (maximum thickness 50mm). Reason: To reduce dominance over Gunn-Barrell Estate.

Relevant Planning History

None

Consultations

Parish – South Wonston Neighbours (14)

Representations:

City of Winchester Trust: No comments received

Parish Council

 South Wonston Parish Council considers that an acceptable compromise which has regard to the well being of these valued trees has been reached.

6 letters received objecting to the application for the following reasons:

- The trees are healthy and have public visual amenity value
- No buildings are affected to warrant the works
- Pruning is unnecessary and will unbalance the tree(s)
- The works are excessive
- There will be a reduction of public visual amenity
- There will be a loss of natural habitat including benefits of shading
- There is insufficient justification for the proposed works.

0 letters of support received.

Relevant Planning Policy:

Policy DM15 of the adopted Winchester District Local Plan Part 2, v) trees, hedgerows, water features and corridors which contribute to local distinctiveness.

Planning Considerations

- The tree(s) subject to this application are protected by TPO2113 which was made by the council in 2014 to protect amenity trees during the potential development of the surrounding land.
- As part of a group, they have collective public visual amenity value and can be clearly seen from the highway of Alresford Drove.
- From a visual inspection carried out at ground level only, the tree(s) are mature specimen(s) of fair form and appear to be in good overall condition.
- The subject tree(s) are located in the neighbouring property (Woody Lodge) and are noted to extend over the boundary into the Gunn-Barrell estate, overhanging by approx. 5m in a westerly direction

Officer's comments

It is the tree officer's opinion that the trees are healthy and have good public visual amenity. In addition, the proposed works will not unduly unbalance the trees, as the overhanging branches are only being reduced and not entirely removed. In addition, the works are not considered to be excessive in this instance.

The proposed works are within the tree(s) ability to tolerate the pruning without unduly impacting on their health, overall shape or value in the landscape.

Low/encroaching branches were observed which may cause a nuisance or affect the reasonable enjoyment of the applicant's property (Gunn-Barrell Estate).

There will be negligible loss of habitat, however this will be short term only. With regard to the shading, this is not considered to be a reason for refusal. In addition trees works can be approved even where this is no impact on buildings or property.

Impact on character of area and neighbouring property

It is considered that the proposal will have no adverse or long term impact on the trees or the character of the area.

Landscape/Trees

From a visual inspection carried out at ground level only, the tree(s) are mature specimen(s) of good form and appear to be in good overall condition.

Therefore the proposed works are considered reasonable and appropriate and there is no reason for refusal.

Recommendation

Application permitted subject to the following condition(s):

Conditions

01 The approved work(s) shall be carried out in accordance with the British Standard 3998: 2010 Tree Work - Recommendations, Chapter 7. Pruning and related work

<u>REASON:</u> To minimise the impact and ensure the work carried out is to the long term well-being and visual amenity of the tree(s) and; to satisfy Policy DM15 of the adopted Winchester District Local Plan Part 2 2017.

02 The permitted work shall be completed within two years and carried out only once from the date of this consent.

<u>REASON:</u> To accord with part 4, regulation 17 (4)(a) and (b) of The Town and Country Planning (Tree Preservation)(England) Regulations 2012.

03 The approved branch reduction is to be achieved solely by the removal of tertiary and secondary branches only measuring no more than 50mm in diameter when measured over the bark.

<u>REASON</u>: To restrict the volume of material removed, ensuring that the contribution to public visual amenity is retained by the subject trees.

Informatives:

- The granting of consent means that the works are acceptable in arboricultural and planning terms. It does not give the person making the application an automatic legal right to enter third party land to carry out the work. The question of ownership is a civil matter rather than a planning issue and, other than cutting overhang, the person carrying out the work must also obtain the landowner's permission in addition to any consent under the tree preservation order legislation. This consent relates to the land on which the trees are growing and the landowner may also carry out the consented work if they so wish, although the land entry restrictions may still apply where a tree is growing over an ownership boundary.
- Your application will determine whether the proposed tree works are acceptable in planning terms. Please be aware that this will not automatically override your responsibilities under other legislation and in particular your attention is drawn to the Wildlife and Countryside Act 1981 as amended, the Countryside and Rights of Way Act 2000 and the Conservation of Habitats and Species Regulations 2017. This legislation protects ALL wild birds, their nests (whether in use or being built) and eggs and other wild animals including bats and their roosts in or adjacent to trees. In simple terms, you should make sure that there are no wild birds nesting in or bats roosting in or adjacent to the tree(s) that you are proposing to work on. It is a criminal offence to harm or destroy any bird, its nest or its eggs or any bat or its roost (even if the roost is not occupied at the time).

This decision notice, along with any observations that have been made on the application file, does not constitute a tree safety inspection. Neither does this decision indemnify the tree owner against any future damage caused by the tree. The tree has been assessed only as far as is necessary to determine the suitability of the proposed work. In the absence of any supporting technical evidence, submitted from an appropriate expert, which relates to the trees condition, the decision is based on the assumption that the tree is in good health and structural integrity. If you have concerns about the condition of the tree, you are advised to contact the Arboricultural Association at www.trees.org.uk for independent advice (a fee may be applicable).