

Eastleigh Borough Council Tree Preservation Order and Conservation Area Assessment Form

Application Number	T/22/93846					
Surveyor	Charlotte Holloway					
Address	Land to the North of 21 Silver Birches SO31 8LD					
Proposed work	1 no. Oak (tree to the side of 21 Silver Birches) - Cut back all branches overhanging properties 19 and 21 Silver Birches by up to 4 meters.					
Assessment Date	25/10/22					
Officer comments	The tree is very prominent. The tree is adjacent a turning head and recreation ground. It is prominent and has high amenity value. The tree has good ground clearance, and the canopy is in good vitality. The canopy has a good lateral spread, as would be expected of an open grown tree, which extends the across the garden of 21 Silver Birches and into 19. The proposed works would remove a significant volume of canopy and associated photosynthetic material; however, it would not be sufficient to prevent all seasonal nuisance from impacting residential gardens. The number and diameter of cut sizes as outlined in table 1 of BS3998:2012 Tree Work Recommendations would likely be exceeded. This would increase the potential for pest and disease induced by excessive pruning as outlined in 0.3 of the same standard. This would negatively impact tree longevity. The proposed works would also likely cause a significant decrease in the aesthetics and associated amenity of the tree, as it would have a 'sided up' appearance, with most of the structural framework of the south of the canopy negatively impacted. Seasonal nuisance is not a sufficient justification for excessive works. The applicant has stated that they believe the tree to be diseased, or they have fears it may break or fall. However, Regulation 16(1) of The Town and Country Planning (Tree Preservation) (England) Regulations 2012 requires appropriate evidence 'in relation to tree health or safety, as applicable' to be provided. Appropriate evidence, such as a diagnostic report from an arboricultural professional has not been included in the application. However, I note that the applicant has submitted photographs of some deadwood on the ground. Under Regulation 14(1)(b) of The Town and Country Planning (Tree Preservation) (England) Regulations 2012, the removal of dead branches from a living tree does not require LPA permission and can therefore be removed by the applicant.					
Decision	Consent	Refuse	Part consent/ Part refuse	Withdrawn / Invalid	Conservation Area	
					Raise no objection	TPO

			X			
Decision notice	REFUSE: 1 no. Oak (tree to the side of 21 Silver Birches) - Cut back all branches overhanging properties 19 and 21 Silver Birches by up to 4 meters. CONSENT: 1 no. Oak (tree to the side of 21 Silver Birches) - Reduce lateral branches to the south of the canopy from branch tips by up to 2m. Cut sizes must not exceed 75mm diameter.					
Conditions	Standard					
Notes to applicant	Under Regulation 14(1)(b) of The Town and Country Planning (Tree Preservation) (England) Regulations 2012, the removal of dead branches from a living tree does not require LPA permission and can therefore be removed					
Parish comments	None					
Public objection/ support	Support		Objection		Observation	
	1		0		0	
Objection/ support consideration	The supporting comment from the applicant is noted. For the reasons stated above, the decision is part refuse part consent.					