

Eastleigh Borough Council Tree Preservation Order and Conservation Area Assessment Form

Application Number	T/23/94543
Surveyor	Charlotte Holloway
Address	ORCHARD GARDENS CARE HOME, 1 GARNIER DRIVE, BISHOPSTOKE, EASTLEIGH, SO50 6HE
Proposed work	1 no. Group of Mixed species G1 (along Church Lane between Breach Lane and Garnier Drive) - Reduce and remove branches to give power lines clearance of maximum of 2m.
Assessment Date	23/02/23
Officer comments	The trees are a group feature situated along the eastern boundary of Orchard Gardens Care Home, adjacent to Church Lane. They can be seen from the public highway and offer a green screen between the care home and the highway. The trees have high amenity value. The applicant has requested to reduce and remove to give a maximum clearance of 2m to power lines. However, if applied indiscriminately, as suggested, this work will result in some large pruning wounds. BS3998:2010 Tree Work Recommendations states <i>"the final cut should generally not exceed one-third of that of the parent stem or branch"</i>. Works described would also result in 'topping', which would expose heart wood and accelerated decay of established trees, negatively impacting their longevity. BS3998 states 'topping should be used only as a last resort for retaining a valuable tree which would otherwise pose an unacceptable risk'. Part of the cable appears to be sleeved, which will minimise impact from trees in this location. It is acknowledged that 14(1) of The Town and Country Planning (Tree Preservation)(England) Regulations 2012 states; <i>"Nothing in regulation 13 shall prevent - by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land of the statutory undertaker and the work is necessary—</i> <i>(aa)in the interests of the safe operation of the undertaking;</i> <i>(bb)in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker;</i> <i>(cc)to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995(1)".</i> The request does not appear to have arisen from a statutory undertaker. Therefore, given the negative impact the proposed works would cause both to tree health and amenity value, the works is deemed unjustified.

Decision	Consent	Refuse	Part consent/ Part refuse	Withdrawn / Invalid	Conservation Area	
					Raise no objection	TPO
			X			
Decision notice	REFUSE: 1 no. Group of Mixed species G1 (along Church Lane between Breach Lane and Garnier Drive) - Reduce and remove branches to give power lines clearance of maximum of 2m					
Conditions	n/a					
Notes to applicant	None					
Parish comments	None					
Public objection/ support	Support		Objection		Observation	
	0		0		0	
Objection/ support consideration	n/a					