

Eastleigh Borough Council Tree Preservation Order and Conservation Area Assessment Form

Application Number	NC/23/96327					
Surveyor	-					
Address	8 TWIN OAKS, BOTLEY, SOUTHAMPTON, SO30 2BF					
Proposed work	Notification of intent: 2no. Willow (T1 & T3) - Reduce/Pollard to the previous pruning points by 3 to 4m to maintain the tree to its surroundings. 1no. Willow (T2) - Fell, it leans greatly is now of a condition and size offering nothing in the way of amenity value.					
Assessment Date	08/12/2023					
Officer comments	The tree trees are located to the rear of the application property. All three trees have been historically managed. Because of their size and location, none of the trees provide significant amenity to the local area (although they do provide private views). As a result, none of the trees is significant in the context of the Conservation Area and the proposed work will not significantly harm that character. Therefore, we raise no objection to the proposal.					
Decision	Consent	Refuse	Part consent/ Part refuse	Withdrawn / Invalid	Conservation Area	
					Raise no objection	TPO
					x	
Decision notice	Raise no objection: 2no. Willow (T1 & T3) - Reduce/Pollard to the previous pruning points by 3 to 4m. 1no. Willow (T2) – Fell.					
Conditions	n/a					
Notes to applicant	Note to applicant: All works should be carried out by a suitably qualified and insured tree surgeon. A copy of the decision notice should be given to the Tree Surgeon. Note to applicant: Deadwood may be removed at any time without an application or notification. Note to applicant: Please be advised that the Wildlife and Countryside Act 1981 as amended, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats) Regulations 1994 protect 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. Note to applicant: The decision not to serve a TPO does not give the applicant or their agent a legal right to enter land without the owner's permission. Note to applicant: Advice regarding overhead utilities should be sought with the relevant service provider prior to commencing works. Note to applicant: Please follow current recommended Bio-security measures - Further advice can be found at https://www.trees.org.uk/News-Blog/News/Biosecurity-in-Arbiculture-and-Urban-Forestry-Po Note to applicant: Deadwood within trees provides a rich and important habitat; it can be a natural part of the trees life cycle. Consider retention of deadwood where it is safe to do so.		
Parish comments	T1 & T3 - No comment. T2 - Members of the committee would like T2 raised to the tree officer for assessment. Committee members were concerned removing the willow would have an impact on standing water and potential flooding in the area if removed.		
Public objection/ support	Support	Objection	Observation
	0	1	0
Objection/ support consideration	In response to the Parish, all section 211 notifications are assessed by a qualified tree specialist. Whilst the issue of standing water is noted, it is beyond the remit of the legislation to consider these matters. There was also a public objection: <i>"I wish to object to the felling of the tree in the above application. I disagree that there is nothing in the way of amenity value. This and the other trees are the reason we bought our house at 7 Twin Oaks and why we remain living there, as they are beautiful trees in keeping with the area. It is also a sanctuary for wildlife such as birds and squirrels. I also do not discern any noticeable change in the condition of the tree since the previous application two years ago when the tree overhanging our garden was felled. No mention was made at that time of the condition of the T2 willow and I am therefore not convinced of the need to fell when it is an old established tree that has withstood storms and the like since it was</i>		

	<i>pollarded 2 years ago. I see no reason why it should not be pollarded as it was before, but certainly not felled. I have also noticed that my lawn on the lower level becomes quite waterlogged over the winter and I am concerned that with the removal of a substantial tree that this will worsen the condition of our garden and it will become flooded. I should also point out the benefit that this tree and the others provide in terms of screening as they prevent our gardens being overlooked by our neighbours at the back of our property. In summary I have no objection to the pollarding of the tress. My objection is to the felling of T2. I apologise for the lateness of my response but I have only just returned from a holiday abroad. I should be grateful if the above is taken into consideration when determining the above application."</i> In response, the LPA have to consider the proposal in the context of the character of the conservation area. In other words, would the proposed work significant impact the character of the Botley Conservation Area. Under the legislation, no reasons or justifications have to be provided (unlike a TPO application) and the LPA only consider the proposed work and the impact on the character. Private views, hydrology and wildlife, whilst understandable important to neighbours, cannot be taken into consideration when assessing Section 211 notices.
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