

H/24/98637 - BARN COURT, HIGH STREET, BURSLEDON

27/01/2025

For the application H/22/93123 (construction of a garden store) we advised the following:

The location of the proposed garden store appears to be nestled within some trees. These trees will most probably be significant enough to be protected under Conservation Area legislation.

We note that the store is due to be constructed using piles [as stated in the planning statement], which would help mitigate any root damage, but we may also need a bit of further information pre-commencement demonstrating that the construction process will not significantly harm the trees.

Therefore, we raise no arboricultural objection, subject to the following condition:

No excavation, demolition or development related works shall take place on site until an arboricultural method statement and a scaled and referenced tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), are submitted and approved by the LPA. The approved arboricultural documents must be adhered to in full, and may only be modified subject to written agreement from the LPA. Reason: to retain and protect the existing trees which form an important part of the amenity of the locality.

The above condition was accepted by the case officer and became Condition 4 of the decision, which was issued on 2nd September 2022.

Subsequently, it appears that an arboricultural survey was carried out in October of 2022. However, no mention of the detail on the piles was included, and the report does not appear to have been submitted as part of a Discharge of Condition application.

We now have what appears to be a retrospective application (the application form states that work has commenced) and an enforcement case regarding this structure. So, we have a few questions:

1. Has the/a structure already been built? Whilst the application form states that construction started in 2022, the planning statement does not give that impression.
2. If the original proposal under H/22/93123 has been started, did they discharge Condition 4?
3. Were piles used as the foundation?
4. Was the proposal, as set out in the submitted arboricultural report, adhered to (e.g. tree protection fencing)?

Happy to chat about it, if easier.

Chris.