

HEWEB – Hedge End, West End and Botley Local Area Committee Monday
25 January 2021

Application Number: T/20/89128
Case Officer: Chris Stringer
Received Date: 28/10/2020
Site Address: Hedge End Retail Park, Tollbar Way, Hedge End, SO30
2UH
Applicant: c/o Agent
Proposal: Various tree works (Please see Covering Letter, Tree
Survey Report and Landscape Strategy for details of works
proposed to retained trees G2, G3 and T3 (total no. 13
trees)).

Recommendation:

PERMIT, subject to conditions.

CONDITIONS AND REASONS:

- 1) No branches over 50 mm in diameter shall be removed and the tree works shall retain the natural shape and habit typical of the species.
Reason: To safeguard the health and amenity of the trees.
- 2) The tree works hereby consented shall be completed within 2 years of the date of this permission and shall be carried out in accordance with the approved details and to British Standard for Tree Work BS3998:2010. Reason: To safeguard the health and amenity of the trees.

Note to Applicant: It is considered that, subject to compliance with the conditions attached to this permission, the proposed tree works are acceptable because they will not materially harm the character of the area, the amenity of neighbours or highway safety, and are in accordance with the policies and proposals of the development plan and after due regard to all other relevant material considerations the local planning authority is of the opinion that permission should be granted.

Note to applicant: All works hereby consented 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.

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 granting of consent 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.

Report:

1. This application has been referred to Committee due to receipt of 73 objections and the level of public interest.

Description of application

2. G2, G3 and T3 – oaks – removal of epicormic stem growth up to 4 metres above ground level.
3. Epicormic growth is defined as shoots of generally small diameter arising from dormant buds, common on a tree's main stem.

Trees

4. The subject trees are protected under area Tree Preservation Orders 269-E and 93-E.
5. G2, G3 and T3 are all mature oaks forming a codominant group located to the front of the retail store. The individual trees (13 in total) appear to be structurally and physiologically as one would expect for trees of this size and age.
6. The codominant group is highly visible and prominent within its setting.

Site Characteristics and Character of the Locality

7. The application site is located within the car park of a retail area. The site is immediately to the south of the former Homebase store and to the west of Currys PC World. It contains 14 trees, 13 of which – the subject trees – were originally part of a larger group of trees or woodland that was retained when the retail area was developed. Apart from the subject trees, there are no other significant, mature trees within the car park area, making the subject trees a unique feature, although there are trees around the periphery of the retail area and along the local highways.

Relevant Planning History:

8. Outline planning permission for the development of the site was originally granted in July 1995 (planning ref. Z/33503/000/00). Condition 15 of this permission required the submission of a scheme of landscaping to include indications of all existing trees and hedgerows to be retained, together with measures for their protection. Reserved Matters were approved in September 1995 (planning ref. Z/33503/002/00).
9. In October 2016, an application for various tree works was granted consent under reference T/16/79086 which included works to a number of the trees that are the subject of this application, primarily to reduce the canopy. One tree within this area was turned into a monolith (removal of all branches to reduce a dead or dying tree back to its main stem).
10. Of particular relevance is planning application F/19/87101 which was resolved to be refused by the Local Area Committee on 15th June 2020 (decision issued 18th June 2020). This application proposed the removal of nine of the 14 trees within the forecourt landscape area and associated and additional landscape works.
11. There is also a current full planning application – F/20/89127 – valid on the site for a landscape proposal, which includes the removal of T4.

Representations Received:

12. 77 representations were received in total, including 73 letters of objection, 3 with comments and a parish comment. No comments were received from West End Parish Council, however Hedge End Town Council provided the following response: *“Objection to the felling of T4 small oak. No Objection to the various epicormic growth subject to the usual conditions of the tree officer.”*

13. The objections and comments received can be grouped into the following concerns. A response to these matters is provided under each issue:

- **Removal of ivy and deadwood** citing ecology.
 - The protection of ivy is not covered under the Tree Preservation Order regulations, while deadwood removal is exempt. This is therefore not a matter for consideration as part of this application.
- **Removal of T4** citing aesthetics, TPO protection, biodiversity and climate emergency as reasons for retention.
 - This application relates solely to the removal of epicormic growth and does not propose the removal of T4. T4 is covered under application F/20/89127.
- **Removal of mature trees (G2, G3 and T3)** citing aesthetics, TPO protection, biodiversity and climate emergency as reasons for retention.
 - G2, G3 and T3 are not proposed for removal under this application.
- **General cutting of branches/pruning** citing aesthetic and tree health reasons.
 - The removal of epicormic growth has been address below. No significant pruning has been proposed under this application.
- **Hedgerow removal** citing biodiversity.
 - No hedgerows are proposed for removal under this application.
- **Over development of the area** citing traffic increases and the lack of need for a pocket park.
 - This concern is beyond the scope of the TPO application.

Assessment of Proposal: Development Plan and / or Legislative Background:

14. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states: "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the

determination must be made in accordance with the plan unless material considerations indicate otherwise”.

Impact of proposed works on trees:

15. The removal of small diameter, epicormic growth from the lower stems of these trees will have a negligible effect on their physiological condition. This is because the amount of photosynthetic material (leaf area) being removed is insignificant when compared with the overall photosynthetic area of the trees. The proposed work is considered routine and sound arboricultural management.

Impact of proposed works on amenity:

16. The removal of small diameter, epicormic growth from the lower stems of these trees will have a negligible effect on the codominant group's visual amenity. This is because the amount of leaf area/branches being removed is insignificant when compared with the overall crown of the trees. Further, the lower stem represents an area of less visual amenity than the crowns.

Other material considerations:

Equalities Implications:

17. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

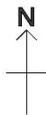
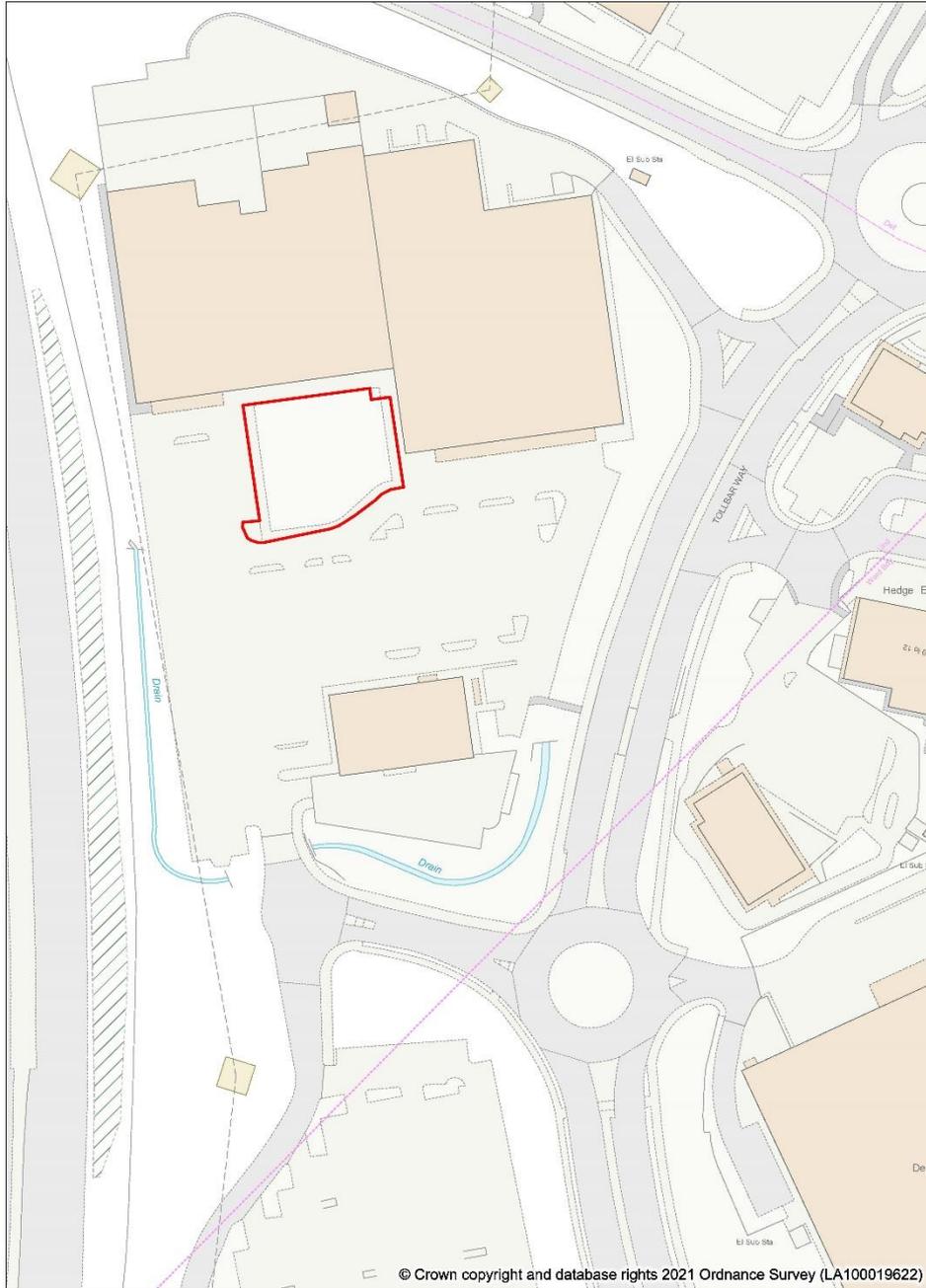
18. When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

19. It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and legislative background.

Conclusion

20. The proposed works to G2, G3 and T3 are considered reasonable and will not be of significant detriment to the health or amenity of the trees. The recommendation is to grant consent for these works.

Hedge End Retail Park, Tollbar Way, SO30 2UH



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| Department: | T/20/89128 |
| Date: 13/01/2021 | Scale: 1:1449 |