

ITEM NO: 8

NAME OF DECISION MAKER	PLANNING & RIGHTS OF WAY PANEL
DATE OF DECISION MAKING MEETING:	8 TH JULY 2003
SUBJECT:	APPLICATION FOR WORKS TO TREES PROTECTED BY A TREE PRESERVATION ORDER
REPORT OF:	HEAD OF PLANNING & SUSTAINABILITY IN CONSULTATION WITH THE SOLICITOR TO THE COUNCIL
AUTHOR AND CONTACT:	NICK YEATS (TELEPHONE 8083 4028 – DETAILS E- MAIL: n.yeats@southampton.gov.uk)

A. RECOMMENDATION

It is recommended that:

- 1) Permission is refused for the removal of the Corsican Pine tree at 188 Midanbury Lane on the grounds that its loss would have a significant impact on the local environment and its enjoyment by the public.
- 2) Permission is granted for the crown reduction of the Poplar tree within 14 Castle Road, to a height in line with the rest of the group.

1.0 INTRODUCTION

1.1 Four applications from British Associated Airports Ltd (Southampton Airport) (BAA) were received on 13th January 2003. The applications are for felling and tree surgery works to trees protected by Tree Preservation Orders (TPO's) and are summarised as follows:

Tree Preservation Order	Address	Species	Works Applied For	Reason Given For Works
The Southampton(174-194 Midanbury Lane) Tree Preservation Order 2000	188 Midanbury Lane	1 x Corsican Pine	Fell	Aviation Safety
The Southampton (Dell Road) Tree Preservation Order 1976	14 Castle Road	1 x Lombardy Poplar	To reduce in height to the level of the residential building on site	Aviation Safety
The Southampton (Townhill Park/Cutbush Lane) Tree Preservation Order 1956	Marhill Copse adjacent to 11 St. Helena Gardens	2 x Monterey Pines	Fell	Aviation Safety
	Marhill Copse to rear of 8 – 11 Moat Hill	5 x Monterey Pines 5 x Corsican Pines 1 x Scots Pine 1 x Dead Larch 20 x Sycamore	Fell	Aviation Safety

1.2 The applications were originally heard by the Planning and Rights of Way Panel on 11th March 2003 when it was decided to defer the matter so that further information could be ascertained.

2.0 BACKGROUND

2.1 A report with regards to these applications was brought before the Planning and Rights of Way Panel on 11 March 2003. A copy of the previous report and the relevant appendices can be viewed at the members rooms or on request from the Tree Team.

2.2 In summary the report covered the following aspects of the case:

- BAA's reasons for the application which were essentially that of health and safety should an emergency situation occur. Should a plane be rendered with only one engine when trying to take off it needs to be able to safely clear any obstacles in its flight path. BAA claim that the trees they have applied to carry out works to protrude into this safety margin.
- Objections from the local residents - a total of 435 letters of objection along with 2 letters giving approval to the proposals were received.

- Arboricultural implications – a cursory inspection of the trees was carried out and their health was noted. With the exception of two trees the majority were found to be of fair to good condition with a safe useful life in excess of 10 years. The two trees of poor condition fell into the exemption category of the TPO.
- The report concluded:
 - The removal of these trees would have a significant impact on the local environment and its enjoyment by the public.
 - BAA have not been able to provide the evidence to show that they have statutory undertakers rights to remove the trees outside the control of their operational land.
 - The profile drawing of the flight surface suggests that it is impossible to attain a safe 1% climb from the runway, without hitting the ground. A better approach to assessing by how much the trees need to be crown reduced would be to show the actual obtainable flight path given the permanent obstacles.
 - If the trees in Marlhill Copse are felled there will be an impact on the local wildlife. BAA are aware of the need to contact English Nature and DEFRA with regards to licences if Badgers or Bats are to be disturbed.
 - Before the trees in Marlhill Copse can be felled BAA will need to obtain a felling licence from the Forestry Commission.
 - Soil erosion at Marlhill Copse is a concern and BAA must satisfy the Council that they will prevent this from happening if consent is given for felling.
- The report recommended that all four applications are refused consent for the following reasons:

The loss or crown reduction of the trees in question would have a significant detrimental impact to the wooded character and amenity of the area and its use by the public.

- The Panel considered the report and resolved that the matter be deferred to a future meeting pending further legal advice regarding interpretation of the provisions of the Town and County Planning Act 1990

2.3 Legal advice has now been obtained and this enables the applications to be dealt with in the following ways.

3.0 THE APPLICATION

3.1 The Forestry Commission has confirmed that in their opinion the trees within the area known as Marlhill Copse are within a woodland and will require a felling licence (See Appendix A). This means that under section 9 of the Forestry Act 1967 they must make the decision unless they refer it back to the local planning

authority under section 15 of the Forestry Act. This they have not done. On the contrary, they have indicated that they are prepared to determine the application.

- 3.2 As numerous landowners are involved the Forestry Commission has carried out a scoping meeting of which Southampton City Council are a consultee.
- 3.3 Therefore two of the applications made under the TPO legislation can no longer be decided by the Council and have been returned to the applicant. The two applications are for the felling of trees adjacent to 11 St Helena Gardens and trees within the properties of Moat Hill.
- 3.4 The Council are still required to make a decision on the remaining two applications which will be discussed below. They are the felling of one Corsican Pine at 188 Midanbury Lane and the crown reduction of one Lombardy Poplar at 14 Castle Road.

4.0 THE TREES

- 4.1 BAA have submitted a report by Jeremy Barrell (Arboricultural Consultant) which gives further information on the trees (see Appendix B).

188 Midanbury Lane

- 4.2 Jeremy Barrell comments on this tree that "*There are no obvious defects with the tree and no grounds for removing it other than the "Aviation safety" reason stated in the application*". This agrees with the Tree Officers assessment of the tree.

14 Castle Road

- 4.3 Jeremy Barrell comments on this tree that "*My site observations showed that there are several other significant trees close to this tree and that it is taking up space that these other trees could develop into if it were removed. This species is vigorous and also prone to rapid decay when pruned harshly. The proposed height reduction will stimulate vigorous new height growth and trigger progressive decay in the main stem. It will need to be regularly pruned for safety reasons and to prevent it rapidly increasing in height. In the context of its adverse impact on other better adjacent trees, I believe it would be more appropriate to remove the tree altogether. I believe the application to prune is defensible on the ground that the work is in the interests of good management to improve the conditions for better adjacent trees*".

- 4.4 The Tree Officer accepts this position and agrees that with the amount of crown reduction applied for it would leave this species of tree more prone to decay. However, a lesser amount of crown reduction would produce smaller cuts and therefore less potential for decay to enter the tree.

- 4.5 There is no objection from the tree owner to the works applied for.

5.0 THE ISSUES

- 5.1 As the Council is not permitted to make a decision on the trees within the woodland at Marlhill Copse the application before the Planning and Rights of Way Panel comes down to works on two trees only. The decision will therefore need to be made by taking into consideration the amenity these two trees give to the local area individually and this includes concerns within the objections received.
- 5.2 Corsican Pine at 188 Midanbury Lane – this is a prominent individual tree, visible from numerous public highways. It is of good shape and form and can be considered a specimen tree. Its removal would therefore be a significant loss to the local environment and its enjoyment by the public. There are no arboricultural reasons for removing this tree. The applicant has put forward aviation safety as a reason for its removal, but has failed to provide evidence for the anticipated harm or degree of risk if the tree is retained.
- 5.3 Further, there is a mechanism whereby the airport operator becomes exempt from the need for approval. This would apply were it required by or under an Act of Parliament to remove the tree. For example the Secretary of State may direct an airport operator to fell a tree pursuant to powers within s.46 of the Civil Aviation Act 1982. If the tree is genuinely likely to constitute a risk to aviation safety, this can be tested under the procedures which govern such a direction. This has not been pursued in this case. Neither has the airport operator identified any concern on the part of the Civil Aviation Authority which is responsible for enforcing the terms of its licence.
- 5.4 Lombardy Poplar 14 Castle Road – although this tree is prominent it is part of a group designation within the TPO. A group is defined by its merit of all the trees making up the group together. This tree has grown beyond the height of the rest of the trees and could be considered to be incongruous to the group. Crown reduction to a height in line with the rest of the group would enhance the group effect and result in smaller pruning wounds, thus reducing the size an opportunity of entry points for decay fungus.

6.0 LEGAL IMPLICATIONS

- 6.1 If permission were to be granted, under the TPO regulations, for specific works to take place, the consent of individual landowners would be required by BAA before they could enter the land.
- 6.2 Under each of the TPO's there is a right to claim compensation should a decision be proven to have caused financial loss. Each TPO specifies the circumstances in which compensation is payable. Whilst compensation can be a material consideration when determining such applications, in this instance there is no reason to take this into account.
- 6.3 If permission is refused then the applicant has a right of appeal to the Secretary of State

7.0 CONCLUSION

- 7.1 The removal of the Corsican Pine within the garden of 188 Midanbury Lane would have a significant impact on the local environment and its enjoyment by the public.
- 7.2 The amount of crown reduction applied for on the Lombardy Poplar is likely to be detrimental to its long term health and safety. A lesser reduction to the height of the existing group would reduce the opportunity for entry of fungal pathogens and would enhance the overall impact of the group. Permission could therefore be given for a lesser amount of crown reduction in order to retain this tree.

8.0 RECOMMENDATION

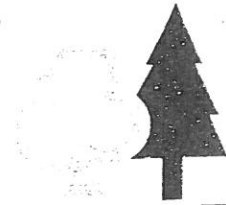
- 8.1 It is therefore recommended that:
- 1) Permission is refused for the removal of the Corsican Pine tree at 188 Midanbury Lane on the grounds that its loss would have a significant impact on the local environment and its enjoyment by the public.
 - 2) Permission is granted for the crown reduction of the Poplar tree within 14 Castle Road, to a height in line with the rest of the group.

Documents attached to this report:

Appendix A Letter From Forestry Commission

Appendix B Arboricultural Report of Jeremy Barrell Treecare

Forestry Commission



Mr N Yeates
Tree Officer
Municipal Block
Civic Centre
Southampton
SO14 3LY

South East England Conservancy

Alice Holt
Wrecclesham
Farnham
Surrey
GU10 4LF

22 April 2003

Tel: 01420 23337
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e-mail: fc.seeng.cons@
forestry.gsi.gov.uk

Our ref: ADV

Dear Nick

Conservator
Alan Betts

Marhill Copse, Bitterne

Further to our site visit on 8 April 2003 I confirm that the trees we inspected lie within woodland and that a licence will be required for their felling.

Since the copse is ancient woodland, I would recommend the applicant acting for the owner(s) consider taking the extra step of a Woodland Grant Scheme and replant with appropriate tree and shrub species native to the site. This would achieve a worthwhile conservation gain. They may take the further step of dealing with the invading sycamore, which should attract a 50% WIG grant from the Forestry Commission.

I look forward to progressing the matter. Because of the many hundreds of local residents concern, the best way forward will be to hold a 'Scoping' meeting on site involving representatives of all concerned once we have received a licence application.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Hugh Milner'.

Hugh Milner
Woodland Officer
(South Hants & Wight)



**Supplementary Tree Information Relating to
TPO Applications to Fell and Prune
Trees around Southampton Airport**

Prepared by

Jeremy Barrell BSc FICFor CBiol MIBiol FArborA DipArb

1 INTRODUCTION

- 1.1 **Instruction:** I am instructed by BAA Southampton to provide further information on relevant tree issues that arise from their recent tree preservation order (TPO) applications to fell trees located at Marlhill Copse, 188 Midanbury Lane and 24 Castle Road, Southampton. I was specifically asked to focus on any other grounds that might exist to support the applications in addition to the stated ground of "Aviation safety".
- 1.2 **Relevant background information:** BAA Southampton have identified a number of trees that extend into airspace in the takeoff and landing flight path of Southampton Airport that should ideally be unobstructed for airport operational reasons. In October 2002, they commissioned CBA Ltd tree consultants to inspect these trees and advise if they could be pruned or would have to be felled. Based on this advice, BAA submitted TPO applications to fell and prune trees dated 10th January 2003 with "Aviation safety" as the reason for the requested works. I have been asked to provide further supplementary advice on the tree issues to help Southampton City Council reach an informed decision when determining these applications.
- 1.3 **Documents provided:** BAA Southampton provided me with a full correspondence file including the CBA Ltd report and the Southampton Tree Officer report (referred to as the 'Council report' in the rest of this report).
- 1.4 **Qualifications and relevant experience:** I have based this report on my site observations and the provided information, and I have come to conclusions in the light of my experience. I have experience and qualifications in arboriculture, biology and forestry that are summarised in Appendix 1. More specifically, I draw attention to section 4 of that Appendix, which deals with my experience as a DoE TPO Inspecting Officer. This allows me to speak with some authority on how the issues in this situation will be assessed in the event that the applications are refused and an appeal is lodged.

2 SITE VISIT AND RELEVANT SUPPLEMENTARY INFORMATION

- 2.1 **Site visit:** I visited each site on 24th March 2003 with John Hamshare, BAA Airside Planning and Compliance Manager. All my observations were from ground level without detailed investigations and I estimated all dimensions unless otherwise indicated. I did not have direct access to all the trees and I confine observations of them to what was visible from public viewpoints. The weather at the time of inspection was clear, still and dry, with good visibility. During my visit, I took photographs to illustrate specific points in this report.
- 2.2 **Relevant supplementary tree information:** The CBA Ltd report has provided basic details of all the trees. I broadly agree with the content and analysis in that report, and do not wish to repeat that information here. However, from my visit and reading the Council report, there are a number of relevant points that I believe it would be useful to highlight and discuss in the more detail. Rather than include lengthy descriptions of the site and trees here, I prefer to rely on photographs that will be more meaningful when displayed with my appraisal of each issue and include them in the following section.

3 APPRAISAL

- 3.1 **General approach:** Rather than prepare a full standalone report on all the issues related to this case, I intend to focus on the main points where it may be helpful to provide supplementary explanation and opinion. I stress that this report should be read in conjunction with all the other documentation related to this case and not interpreted in isolation. I have commented on each TPO application site separately although the bulk of my appraisal focuses on the trees to the rear of Moat Hill and St Helena Gardens where I have specifically considered the main objections summarised in 4.3 of the Council report.
- 3.2 **14 Castle Road - Lombardy poplar:** This tree is highlighted with the yellow arrow in photo 1. The TPO application is to reduce the tree in height to the level of the adjacent trees. My site observations showed that there are several other significant trees close to this tree and that it is taking up space that these other trees could develop into if it were removed. This species is vigorous and also prone to rapid decay when pruned harshly. The proposed height reduction will stimulate vigorous new height growth and trigger progressive decay in the main stem. It will need to be regularly pruned for safety reasons and to prevent it rapidly increasing in height. In the context of its adverse impact on other better adjacent trees, I believe it would be more appropriate to remove the tree altogether. I believe the application to prune is defensible on the ground that the work is in the interests of good management to improve the conditions for better adjacent trees. However, I understand that, in order to comply with the public consultation requirements, full tree removal would require a new application as it is significantly different from the more limited presently advertised application for reduction.



Photo 1: Lombardy poplar indicated with yellow arrow

- 3.3 **188 Midanbury Lane - Corsican pine:** This tree is individually prominent and of high amenity value as can be clearly seen in photo 2. The TPO application is to remove it. There are no obvious defects with the tree and no grounds for removing it other than the "Aviation safety" reason stated in the application.



Photo 2: Corsican pine at 188 Midanbury Lane

3.4 **The rear of Moat Hill and St Helena Gardens - various conifers**

3.4.1 **General:** The application is to remove 13 various pines/larch on the basis that they are unsuitable for the height reduction required. It is also anticipated that a further 20 sycamores will be lost in the felling operations. These trees are part of a woodland area that extends into the rear gardens of residential properties. I agree with the CBA analysis that the option to reduce their height will be detrimental to their health and most likely to cause death. I understand that BAA have made a generous replacement offer to plant an increased number of new trees for those removed.

3.4.2 **Matters of normal woodland management that apply to this site:** This woodland area is a mixture of species and age classes, with saplings up to mature trees fully stocking the whole area. In this type of structure, it is normal and necessary to selectively remove individual trees which are mature or in poor condition to allow younger better trees the space they need to mature themselves. It is a beneficial and desirable objective of a sustainable management strategy to establish and maintain a succession of age classes throughout an area. This ensures that the impact of removals is spread over time throughout a management unit and there are always younger trees developing to replace those lost. In this case, the trees proposed for removal are well

towards the end of their safe useful life expectancy; some of them are clearly damaged (photo 3, yellow arrow) or in decline (photo 4, red arrow) and actually at the end. This general point is confirmed in sections 5.4, 5.5 and 5.7 of the Council report, where it is agreed that two trees could be felled and the remaining trees are close to the end of their expected life span. The younger adjacent trees are becoming suppressed and will benefit significantly by the removal of these larger trees. In this context, the proposal to remove a proportion of the larger trees is fully in accordance with accepted woodland management practice.



Photo 3: Severely storm damage tree (yellow arrow)

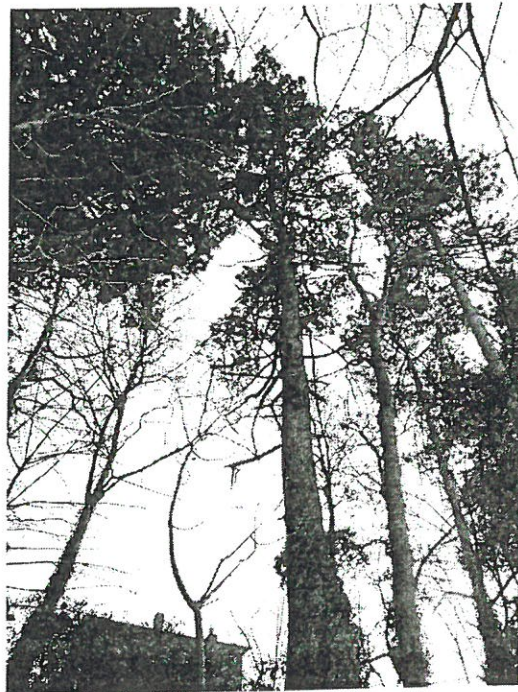


Photo 4: Severely declining tree (red arrow) - note the low density crown

3.4.3 Specific issues summarised from letters of objections: In section 4 of the Council report, it is recorded that over 400 letters of objections have been received from local residents and interested parties. In section 4.3, those objections have been summarised as follows:-

1. Loss of visual amenity
2. Loss of screening and noise barrier to M27
3. Loss of wildlife habitat
4. Loss of bank stability
5. Consent may set a precedent for further tree removal

I deal with each of these issues in more detail as follows:-

1. **Loss of visual amenity:** The trees to be removed are very large and make a significant contribution to local amenity at the moment. However, they are not the only trees in the locality and are part of a much larger woodland area; they just happen to be the most prominent individuals because they are mature and located towards the top of the wooded ridge. Trees are living organisms and their

contribution to amenity increases as they grow to maturity and then suddenly dramatically reduces when they decline and die. This cannot be avoided; amenity will always fluctuate depending where individual trees are in the cycle. However, its impact can be buffered. As explained in 3.4.2 above, a key element to securing sustained amenity is to ensure that the space trees presently occupy is maintained and that there is a succession of younger trees to replace those lost through the natural process. Photo 5 shows that there are many younger trees all around the trees to be removed. The future amenity contribution of the area is assured if these trees are managed responsibly and the space that the removed trees occupy is retained for the developing individuals. Removing trees as they become mature to allow space for younger trees is a responsible and accepted management strategy towards achieving successful sustained amenity. Where surrounding trees have developed to a stage where delay in removing mature trees would result in degradation of the younger trees, it would be appropriate to remove mature trees before they died. On this site, in the context of the abundant developing tree population, I believe that the proposed removals would be justified on this basis alone.



Photo 5: Many younger trees are already established surrounding the trees to be removed. Delays in removing the mature trees may result in degrade of the younger trees and compromise the principle of sustained amenity.

2. **Loss of screening and noise barrier to M27:** It is crown density that contributes to screening and noise reduction. On these trees, the majority of their crowns are towards the top one-third of their stems and there is substantial crown density provided by other trees below this point. With regard to screening, the tops of their crowns in relation to the properties in the immediate vicinity are so high that they provide very little effective screening of the M27 or any other significant feature. From the views on the rising land to the south, the trees do provide some screening to the urban development to the north but this rapidly diminishes with distance as the trees become less significant in the widening landscape context (photo 6). For this reason, I do not believe that the loss of these trees will have any significant impact on screening in the immediate vicinity or in the wider setting. With regard to noise reduction, I stress that I am not expert in this field and I can only comment based on my experience in tree management of woodland areas where noise reduction has been an issue. On that basis, from photo 6, it is obvious that the M27 is out of sight between the airport in the background and the subject trees, effectively screened by the woodland that is to be retained. Whilst the larger trees probably contribute to the noise reduction, I believe the majority of this effect will be achieved by the bulk of the woodland that is to be retained. For this reason, I think it is unlikely that the loss of the trees will have significant impact on reduction of noise levels.



Photo 6: View looking northwards towards the airport with the subject trees as the darkest silhouettes across the centre of the view with level airport complex in the background

3. **Loss of wildlife habitat:** There are two main wildlife issues that arise from these proposals; disturbance from the activity and loss of habitat. Regarding disturbance, it is unlikely that there will be issues here that will prevent the work being carried out. If matters of importance that fall under wildlife legislation are identified, these can normally be dealt with by obtaining licenses that regulate methods of work rather than preventing work being carried out. My experience is that proper investigation and procedures would normally allow these types of works to be done and I see no reason why that approach cannot be successfully applied in this situation. On the loss of habitat issue, I believe that there is a sustainable argument that the continued presence of these trees in their present form is actually inhibiting habitat diversity and detrimental local wildlife. None of the pines are native whereas many of the developing understorey species are, so that is not beneficial in principle for native wildlife. Substantially reducing the height of the trees to leave standing stumps up to 5m height would not unduly compromise levels of risk in this location but would significantly contribute to increasing habitat diversity. An excellent example of this can be seen in the adjacent woodland area in photo 7. In this context, I believe that the loss of the trees would result in the loss of low quality habitat but this would be more than compensated for by the benefits of increased habitat diversity.



Photo 7: An example of the habitat diversity introduced by decaying standing stumps in an adjacent woodland area

4. **Loss of bank stability:** Concerns have been raised that the removal of these trees will destabilise the bank and lead to erosion and landslip. From photo 8, it can be clearly seen that the trees to be removed (two of which are indicated with yellow

arrows) are part of a woodland matrix of young and maturing broadleaved trees, mainly sycamore and ash. This is the typical situation around all the trees. It is normal for mature trees to be removed in this type of woodland mix and it is my experience that this will have no significant impact on the stability of the bank. The younger trees to be retained will have an extensive network of roots throughout the area and will soon exploit those areas freed up by the removal of the larger trees. For these reasons, I do not believe this is an objection that should be given any significant weight.



Photo 8: Densely spaced trees on the bank provides a network of roots that will maintain stability when individuals are removed (yellow arrows)

5. **Consent may set a precedent for further tree removal:** It is my experience that trees are so variable it is extremely unusual for TPO decisions to set precedents. Each situation is unique and it has to be considered on its own merits rather than refer to past decisions for over riding guidance. On this basis, I do not believe that the contention that 'a consent in this situation will set a precedent that will result in the loss of many more trees' is sustainable.

3.4.4 **Further comments on a sustainable replacement strategy:** I understand that BAA have offered substantial replacements for any trees that are removed although my obvious conclusion from the above discussions is that the density of tree cover is so great near the trees to be removed that there is very little space for meaningful or useful replacement planting. In this context, I believe it would be appropriate to consider replacing the lost trees with new planting elsewhere in the vicinity rather than directly adjacent to the lost trees. As discussed above, individual trees come and go and the focus for effective and sustainable tree management should be on the continuity of tree cover throughout the management unit rather than preserving individual trees at one location. In this case, the management unit is the City of Southampton and in principle, provided there is no net loss of amenity potential, where that amenity is located within reason, is not that critical. In this case, there will be limited loss of amenity in one location with the potential for that to be replaced with existing tree stocks in the same place. If further tree planting were to be carried out at other locations within the City, then that would be a significant benefit towards sustaining and enhancing amenity in the wider community.

3.4.5 **Further comments on the remaining safe useful life expectancy of the trees:** In section 5 of the Council report, it is confirmed that their tree 2 adjacent to St Helena Gardens has a structural defect and one of the trees to the rear of Moat Hill is dead. Both these trees could be felled as exemptions to the TPO. Additionally, I have identified one severely storm damaged tree in photo 3 and one obviously declining tree in photo 4. Both these trees are clearly at the end of their safe useful life expectancies. Sections 5.6 and 5.7 of the Council report explain the trees have a potential life span of up to 150 years and are likely to be between 100 and 150 years old, with a remaining safe useful life expectancy in excess of 10 years. I agree with this general assessment for some of the trees although the ones I have noted above are clearly right at the end of their safe useful life expectancy. In the context of the above points, I believe that the trees have reached their best and are now in various states of decline with no potential to improve. The most severely declining trees will need to be removed soon, which will leave the remaining individuals more exposed and vulnerable to storm damaged, thus hastening their decline and reducing their safe useful life expectancy. At the most, the best trees can be retained for 10 more years, which is not a long time in the context of their life span of 150 years. If there are other valid reasons to remove the trees, then I do not believe that the relatively short time they have remaining should be given excessive weight in the decision making process.

4 SUMMARY OF CONCLUSIONS

4.1 **Summary:** From my above analysis, I believe that the issues relating to the poplar in Castle Road and the pine in Midanbury Road are quite clear. There is not a strong case to retain the poplar and there are no grounds except 'Airport safety' to justify the loss of the pine. However, with the remaining trees to the rear of Moat Hill and St Helena Gardens, I do not believe that there is an overwhelming case to resist their removal if the 'Airport safety' reason is deemed to be important. They are very close to the end of their safe useful life expectancy (some are already at the end), they have limited screening and noise reduction value, their removal will allow better adjacent trees space to develop, there will not be any adverse impact on bank stability due to their loss and with appropriate management, their loss would increase habitat diversity. Additionally, the generous replacement package offered by BAA elsewhere in the City will significantly contribute to increasing the tree associated benefits to the wider community.

Jeremy Barrell BSc FARborA CBIol MIBiol DipArb FICFor
Senior Consultant with Barrell Treecare

Appendix 1

Brief qualifications and experience of Jeremy Barrell

1. **Qualifications:** I hold the Degree of Bachelor of Science with Honours in Environmental Forestry. I am a Fellow of the Institute of Chartered Foresters and a Registered Consultant of that Institute. I am a Fellow, Registered Consultant and Approved Contractor of the Arboricultural Association (AA). I am a Chartered Biologist and a Registered Consultant of the Institute of Biology. I also hold the Royal Forestry Society's Professional Diploma in Arboriculture, which is the premier qualification within the Arboricultural Profession. I am a Law Society 'Checked' expert witness and a founding member of the Institute of Expert Witnesses. I was honoured with the 2001 AA Award in recognition for services to Arboriculture.

2. **Career summary:** I was brought up in the New Forest and have lived with trees all my life. I first began working with trees in 1972 tackling the problems of Dutch Elm Disease. In 1978, I joined the Forestry Commission as a Field Surveyor and in 1980 I began my contracting and consultancy business. The contracting involved hands on experience in all aspects of practical tree care. In 1995, I concentrated solely on consultancy work, expanding the business to take on a Practice Partner in 1998. Barrell Treecare is now one of the top Arboricultural Practices in the UK.

3. **Professional activities:** As an arboricultural consultant, I have focused on developing a number of specialisms. I am internationally recognised as a leading authority on managing trees on development sites and authored the SULE method of assessing trees, which is used throughout the world. Additionally, in conjunction with the AA, I conceived, wrote and present the first ever course on report writing for arboriculturists and foresters. I lecture all over the world on both these subjects and have written numerous international papers. I am an examiner for the RFS Professional Diploma and regularly act as an expert witness in legal hearings and planning inquiries.

4. **Specific relevant experience:** Between 1993 and 1996 I was one of eight DoE tree preservation order appeal inspectors subcontracted to carry out site inspections and report to the Secretary of State. This has provided me with extensive experience in dealing with trees covered by tree preservation orders and working within the planning system. I regularly act as an expert witness at planning inquiries and advise on tree management in a planning context. Further details of my experience can be found at www.barrelltreecare.co.uk.

... reason of its excessive height, bulk and
... a street would result in an incongruous feature
within the street scene to the detriment of visual amenities of the area
moreover when viewed from No 34 Bassett Green Close is considered
to represent an over-dominant and oppressive form of development.
The proposal is therefore not in accordance with Policy GP1 (i) of the
City of Southampton Local Plan (1991-2002) AND policies SP1 and
SDP7 of the Revised Deposit Version (Feb 2003).

02

The proposal incorporates windows at first floor level. This would result
in the overlooking of adjoining properties. Accordingly the proposals
would be contrary to Policy GP1 (i) of the City of Southampton Local
Plan and Policy SDP1 of the City of Southampton Local Plan review
Revised Deposit Version February 2003.

17. DECISIONS ON PLANNING APPLICATIONS MADE UNDER
DELEGATED POWERS

The Panel considered the report of the Development Control Manager
which noted the decisions made on planning applications made under
delegated powers. (Copy of report circulated with agenda and
appended to signed minutes).

18. TREE PRESERVATION ORDERS UNDER TOWN AND COUNTRY
PLANNING ACT 1990

The Panel considered and noted the report of the Head of Local
Services listing decision take under delegated powers in respect of trees
subject to the preservation orders made under the Town and Country
Planning Act 1996. (Copy of report circulated with agenda and
appended to signed minutes).

