

Site Address: 24 Wade Court Road, Havant, PO9 2SU
 Proposal: Fell 1No. Oak (T1 on plan); 1No. Chestnut (T2 on plan) pollard to previous pruning points - subject to TPO 0935.
 Application Type: Works to TPO Tree
 Application No: APP/23/00706 Expiry Date: 12/10/2023
 Applicant: Mr Terry
 Agent: Mr Fazackarley Case Officer: Peter Slegg
 Michael Reed & Co Tree Service Ltd
 Ward: St Faiths

Recommendation: **GRANT TPO CONSENT**

1 Site Description

24 Wade Court Road, Havant, PO9 2SU

2 Planning History

02/52240/002 - Two storey front extension following demolition of single storey projection, in fill ground floor area to rear and alteration to roof., PERM,15/08/2002

02/52240/001 - Crown reduce by 25% and crown raise (including removal of major limb overhanging garage) on a Beech tree (T14) at 24 Wade Court Road subject to TPO 935., PERM,01/05/2002

03/52240/003 - Revision of Planning Permission 02/52240/002 for two velux roof windows and 1 further window in side elevation., NPW ,28/07/2004

04/52240/004 - Relief of condition 4 of permission No. 02/52240/002 to retain clear glazed roof light in north elevation. Retention of additional roof light and ground floor window, both in north elevation., PERM,11/10/2004

08/52240/005 - Conservatory to rear elevation., PERM,14/04/2008

GEN/11/01350 - DDD, .06/10/2011

3 Proposal

Fell 1No. Oak (T1 on plan); 1No. Chestnut (T2 on plan) pollard to previous pruning points - subject to TPO 0935.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Gillian Harris

Councillor Imogen Payter

Councillor Phil Munday - St Faiths

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 7

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I am sending this email further to our very helpful conversation [redacted] and having received a notification to fell an Oak Tree on our perimeter. This tree sits on the border between Nos 24 and 26 Wade Court Road. For more than 16 years since we moved into 26 Wade Court Road we have enjoyed the privacy that has been afforded by this oak tree, including the diffusing of light that comes from the street light close to our property. We are not aware of the reason why this application has been made [redacted] In discussion with the Council we are informed that the reason given for the application to fell the tree is that it is ageing and not in good health. It would be useful to know the basis on which this judgement has been made (and by	Comments noted and considered in the officer report.

whom) as it would appear that the tree is covered in the sort of healthy looking green foliage that one would expect to see at this time of the year. Wade Court is a road which thankfully has a number of trees which give it its unique environmental attraction to the many pedestrians who go down to Langstone Harbour this way. The tree has been a feature of this part of the road for many years and we believe that the felling of this tree would have a detrimental effect on the overall environment. We don't believe that there is good reason to fell the Oak or heavily pollard the Sweet Chestnut tree and we would urge the Council to reject this application to fell the Oak and examine what justification there is for the heavy pollarding of the Chestnut. We would be happy to have any discussions with the Planning Department that you may think helpful but in the meantime would ask that no authorisation is given to any third party to proceed with the felling or pollarding without further discussion.	

7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- Whether the degree of pruning works requested would undermine the amenity value of these trees and whether this could also be harmful to their ongoing health and vitality.

7.2 The report relates specifically to assessing the proposed works rather than generally inspecting the tree's health and condition in any great detail.

7.3 The proposed works are to remove an oak tree that is in poor health with significant die back in the crown and the pollard of the chestnut to previous pruning points.

7.4 Both the oak tree and the sweet chestnut tree appear to have been subject to previous pruning works, but there is no record of these works having been applied for or granted on the local authority records.

7.5 The correspondence received reflects how highly both trees are regarded in the local area, which justifies their TPO status. Whilst it is disappointing to see the removal of a protected tree, there are sound arboricultural reasons for the works to remove the oak tree based on its condition and target area of failure, which is high risk. A replacement tree will be required, and the location and species type of the replacement tree should be mindful of the site, its full maturity, and ensuring it makes a strong contribution towards the amenity value of the local area.

7.6 The proposed works to the chestnut tree would have a significant impact on the amenity of the tree. However, the tree has previously been pruned, affecting its overall nature form and character and the proposed works would be a continuation of a previous management plan that has lapsed. The proposed works should be to the previous pruning points and not beyond, to safeguard the health of the tree.

7.7 The works to the chestnut tree should form part of its long-term management, to safeguard its health and amenity value to the local area and all works must be undertaken in accordance with 'British Standard 3998:2010 (BS3998:2010) – Tree Works – Recommendations'.

7.8 The proposed works would be in accordance with Policy CS16 and DM8 of the Core Strategy (2011).

8 **Conclusion**

It is recommended that the works to the trees should be granted consent subject to conditions

9 **RECOMMENDATION:**

That the Executive Head of Place be authorised to **GRANT TPO CONSENT** for application APP/23/00706 subject to the following conditions:

- 1 The tree works for which consent is hereby granted shall not be carried out otherwise than in full accordance with all relevant content of BS 3998 (2010).
Reason: In the interests of tree health and safety.
- 2 The tree works for which consent is hereby granted shall be carried out and completed no later than one year from the date of this decision notice.
Reason: To control the timing of the works

- 3 A replacement hornbeam tree is required to be planted to retain the integrity of the Tree Preservation Order 0935. The tree should be a minimum heavy standard with a stem girth of 12-14 cm at the time of planting. The location and species type for replanting for the replacement tree is to be agreed in writing with the local authority, within 3 months after the tree's removal, with tree planting being undertaken in the first available planting season following removal. The replacement tree shall be planted in accordance with BS8545:2014 'Trees: from nursery to independence in the landscape-Recommendations', BS:3936:1992 Part 1 of Part 4: 'Nursery Stock-Specification for trees and shrubs' and BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations'.
Reason: To conserve and safeguard the visual amenities of the locality having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.
- 4 If within a period of 5 years from the date of the planting of a replacement tree, or any further tree planted in replacement, is removed, uprooted, destroyed, dies or becomes, in the opinion of the local authority, seriously damaged or defective, another tree of the same species as that originally planted, pursuant to condition 'Tree Replacement'; shall be planted at the same place, unless the local planning authority gives its written consent to any variation.
Reason: To conserve and safeguard the visual amenities of the locality having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.