

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

5 Statutory and Non Statutory Consultations

Councillor Elizabeth (formerly Dianne) Lloyd

Councillor S Milne

Councillor Simon Hagan

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: 10

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment

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 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 trees are highly visible from the property location to multiple properties in Khandala Gardens, and also visible from Stakes Hill Road, a busy main road to the west. They have high amenity.

7.4 The application tree is outside the applicant property boundary, and positioned to the south-southeast so will cast shade through the main part of the day. Of itself, shade is not a reason to prune protected trees.

7.5 The request to lift to 7.0 is deemed excessive: highway clearance for busy roads is only usually set at 5.2m above ground level, and this is a quiet cul-de-sac with little traffic and not on a bus route, so only occasional larger vehicles are likely. T1 is somewhat close to the roofline of the property and it is reasonable to allow clearance to this and a more moderate lift within common law parameters.

7.6 As the trees are not owned by the applicant, permitting consent for them to manage them to their own preference may not be in the interests of the owners (unknown, not HCC)

7.7 The works as proposed would result in a significant loss of amenity and of foliar mass.

7.8 There are no stated concerns over the condition/stability of the trees, or of potential or actual damage.

7.9 Given the above, it is therefore deemed reasonable to allow crown lifting over the garden only to 4.5m and to clear the property by 2.5-3.0m where this is not beyond the boundary line.

8 **Conclusion**

It is recommended that the Council issues a **split decision**.

9 **RECOMMENDATION:**

That the Executive Head of Place be authorised to **REFUSE TPO CONSENT** for works to 2 No. Limes (T1, T2) crown raise to a height of 7 metres outside of the boundary to the property. Crown raise northern branches of (T2) to a height of 7 metres. Removal of epicormic growth.

1. The tree is an important feature in the local landscape and appears to be in good physiological and structural condition. The proposed works would result in undue loss and detriment to the visual amenities of the locality and local wildlife. It is therefore contrary to policy CS16 and DM8.1 of the Havant Borough Core Strategy 2011 and the National Planning Policy Framework.

That the Executive Head of Place be authorised to **GRANT TPO CONSENT** for works to 2 No. Limes (T1, T2) crown raise to a height of 4.5m within the property boundary of No 3 Khandala Gardens. To afford 2.5-3.0m to the applicant property where this does not mean works beyond the boundary line.

- 1 The tree is an important feature in the local landscape and appears to be in good physiological and structural condition. The proposed works would result in undue loss and detriment to the visual amenities of the locality and local wildlife. It is therefore contrary to policy CS16 and DM8.1 of the Havant Borough Core Strategy 2011 and the National Planning Policy Framework.
- 2 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.

- 3 That the works shall not result in:
 - a) Any single cut being greater in diameter than 60mm in diameter.

Reason: To reduce the impact of wounding on the tree.

- 4 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.