Havant BOROUGH COUNCIL

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Application for Tree Works: Works to Trees Subject to a Tree Preservation Order (TPO) and/or Notification of Proposed Works to Trees in a Conservation Area

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Tree Location

Please provide the address of the site where the tree(s) stands (full address if possible)

Number: 32

Suffix:

Property Name:

Address Line 1: King Street

Address Line 2:

Address Line 3: Hampshire

Town/city: Emsworth

Postcode: PO10 7AZ

Description of site location must be completed if postcode is not known:

Easting (x): 475216

Northing (y): 105593

If the location is unclear or there is not a full postal address, describe as clearly as possible where it is

(for example, 'Land to rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road')

Applicant Details

Name/Company

Title

Dr

First name

Ian

Surname

Taylor

Company Name

Address

Address line 1

32 King Street

Address line 2

Address line 3

Town/City

Emsworth

County

Country

United Kingdom

Postcode

PO10 7AZ

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

What Are You Applying For?

Based on the type of work proposed and the location and protected status of the trees involved, there are various details and supporting information that will need to be supplied in order for the Local Planning Authority to determine the application.

Are you seeking consent for works to tree(s) subject to a Tree Preservation Order?

◯ Yes
⊘ No

Are you wishing to carry out works to tree(s) in a conservation area?

⊘ Yes
◯ No

Documents and plans (for any tree)

A sketch plan clearly showing the position of trees listed in the question 'Identification of Tree(s) and Description of Works' MUST be provided when applying for works to trees covered by a Tree Preservation Order.

A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes).

It would also be helpful if you provided details of any advice given on site by an LPA officer.

Are you providing additional information in support of your application (e.g. an additional schedule of work for the question 'Identification of Tree(s) and Description of Works')?

⊘ Yes
◯ No

If Yes, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application

Ref: GEN/23/00885 Letter from Mr P Slegg of HBC planning/development dated 13th October 2023

Identification of Tree(s) and Description of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out

Require permission under Tort Law (Lemmon vs Webb 1894/5) to authorise a tree surgeon to remove vegetation rooted in the garden of 30, King Street, Emsworth which is currently overhanging the boundary wall into the drive and garden areas of 32, King Street, Emsworth. At the northwest end of the boundary wall branches of a Macrocarpa tree and growing from 30 King Street, completely over the drive of 32, King Street and are starting to grow on to the roof of 36A King Street, Emsworth. Next to this 2 Rowan trees also have branches overhanging the boundary wall into driveway of 32, King Street and these, together with the overhanging Macrocarpa branches are entangling the telephone line from 32, King Street to the telegraph pole of King Street (this has caused disconnection problems in the past). Further along the boundary wall to the southeast a series of trees rooted in 30, King Street have branches overhanging 32, King Street which we request permission to trim back to the boundary wall. These are in the following sequence; yew, leylandii, elder, 3 leylandii, bay tree and as the boundary wall turns north there is a very large conifer which was recently cut back in September 2024 by tree surgeons employed by the owners of 30, King Street but only the branches overhanging the property of the neighbouring house (17, Harbour View, Emsworth) were cut back in line with the boundary wall. The rest of the lateral branches of that large conifer and the bay tree which is growing underneath them have been left to overhang the boundary wall and drop leaf litter and seeds continually onto the decking and patio of the back garden of 32, King Street, Emsworth. We are simply requesting permission to trim back all of this vegetation in line with the boundary wall between our property (32, King Street, Emsworth) and 30, King Street, Emsworth where these trees are all rooted.

You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work.

Where trees are protected by a Tree Preservation Order, please number them as shown in the First Schedule to the Tree Preservation Order where this is available. You should use the same numbering on your sketch plan (see below for sketch plan requirements).

Please provide the following information:

- Tree species
- The number used on the sketch plan; and
- A description of the proposed works.

Where trees are protected by a Tree Preservation Order you must also provide:

- Reasons for the work; and where trees are being felled
- Proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

e.g. Oak (T3) – Whole crown reduction to 12m above ground level, to provide sufficient clearance to property.

Sketch plan requirements

Your plan needs to show the precise location of the tree(s) in relation to nearby property/roads/boundaries. It should, therefore:

- indicate the main features of the site where the tree(s) stand and its surroundings; in particular, you should:
  - mark and name surrounding roads
  - sketch in buildings, including adjoining properties
  - add house numbers or names
- mark the position of the tree(s) to which you want to carry out work and identify them by the number shown in the Tree Preservation Order where possible; if you use a different number, please make sure that this can be matched with your description of the tree(s)
- if there are many trees on the site, make clear which tree(s) are included in this application by:
  - marking all trees on the plan, but only numbering those to which you want to carry out work
  - showing the approximate distance between the application tree(s) and buildings
  - adding other relevant features on the site (e.g. greenhouse, paths)

If it is impossible to identify the tree(s) accurately on the plan (e.g. because they are part of a woodland or group of trees), please identify their approximate location on the plan and provide details of how the tree(s) are marked on site (e.g. high visibility tape, tree tags, paint, etc); trees must not be marked by scarring or cutting into the bark.

Tree Ownership

Is the applicant the owner of the tree(s)?

◯ Yes
⊘ No

If No, please provide the address of the owner (if known and if different from the tree location)

Name/Company

Title

***** REDACTED ******

First name

***** REDACTED ******

Surname

***** REDACTED ******

Company Name

Address

Number: 30

Suffix:

Property Name

Wharf House

Address line 1

30, King Street

Address line 2

Address line 3

Town/City

Emsworth

Postcode

PO10 7AZ

Contact Details

Primary number

Secondary number

Fax number

Email address

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

◯ Yes
⊘ No

Declaration

I/We hereby apply for Tree works: Trees in conservation areas/subject to TPOs as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Ian Taylor

Date

19/09/2024