
Site Address: 9 Fairlea Road, Emsworth, PO10 7SX
Proposal: 1No. Oak (marked as T1 on plan) crown reduction by 3metres to previous pruning points, leaving a height of 13 metres by 13 metres. Subject to TPO 1033.
Application Type: Works to TPO Tree
Application No: APP/24/00534 Expiry Date: 07/09/2024
Applicant: Mr Payne
Agent: Mr Fazackarley Case Officer: Tree Officer
Michael Reed & Co Tree Service Ltd
Ward: Emsworth

Recommendation: **SPLIT DECISION**

1 Site Description

9 Fairlea Road, Emsworth, PO10 7SX

2 Planning History

APP/11/00170 - Crown raise the canopy over the house roof only, to give no more than 2.5 metres clearance from the fabric of the roof and remove deadwood as necessary to 1No. Oak tree subject to TPO 1033., PERM,07/06/2011
APP/16/01184 - Change of use of land to private garden (retrospective)., PERM,12/01/2017

3 Proposal

1No. Oak (marked as T1 on plan) crown reduction by 3metres to previous pruning points, leaving a height of 13 metres by 13 metres. Subject to TPO 1033.

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 Charles Robert

Councillor Grainne Rason

Councillor Reuben Mychaleckyj

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: 13

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 application tree is in good condition and form. It is visible from Fairlea Road, and from the properties that back on to it in Woodlands Avenue.

7.4 It has been reduced in the past, but has regained a natural looking shape and form.

7.5 It is low to the property so clearance pruning is a more reasonable approach than a full crown reduction.

7.6 The works as proposed will result in a significant loss of amenity and so limiting them ins in the public interest.

7.7 No concerns over the condition of the tree are stated. No concerns over the tree causing damage or being unstable are stated. No reasons are stated on the application form to justify the works. This is a requirement of the planning process, and their absence makes it difficult to understand why the works are felt to be necessary across the entire crown.

7.8 The dimensions stated as finished dimensions area actually closer to the existing dimensions: it is common to over-estimate the size of a tree and this in not though to be deliberately misleading.

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 1No. Oak (marked as T1 on plan) crown reduction by 3metres to previous pruning points, leaving a height of 13 metres by 13 metres.

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 1No. Oak (marked as T1 on plan) crown lift to clear applicant property roof by 3.5-4.0 m removing low and trailing branches.

REASON: To avoid damage to roof by low branches.

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 65mm 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.