
Site Address: Land west of 10 Shipwrights Close, Emsworth, PO10 7FE
Proposal: Fell 1No Oak (T1) subject to TPO 1925.
Application Type: Works to TPO Tree
Application No: APP/23/00650 Expiry Date: 24/09/2023
Applicant: Trinity Estates
Agent: Mr Spratt Case Officer: Peter Slegg
Skyfell Tree Specialists
Ward: Emsworth

Recommendation: **GRANT TPO CONSENT**

1 Site Description

Land west of 10 Shipwrights Close, Emsworth, PO10 7FE

2 Planning History

GEN/22/00483 - Roof changed from hipped to gable; rear dormer extension; single storey extension., ,28/06/2022 11:56:43
GEN/22/00823 - Discharge of conditions 5 and 6 relating to APP/14/00547., INV,

3 Proposal

Fell 1No Oak (T1) subject to TPO 1925.

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 Grainne Rason

Councillor Lulu Bowerman

Councillor R Kennett

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Having looked at this oak it is clear that it has no life left in it. The tree probably suffered from the flood protection scheme which was put in place when the estate was built. It is/was one of the trees that ran in a line that finishes in the Recreation Ground. It should be replaced by a similar tree. Nearby some trees have been planted, mostly rather straggly hawthorns but I think this tree should be replaced, though not in the spot where the oak is located, but in a safer site close-by and the tree should be more substantial than the hawthorns.	

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 would remove a mature oak tree that is subject to Tree Preservation Order 1925. The tree was retained as part of the recently adjacent residential development and had a high amenity value to the local area. The ground works surrounding the tree could have had an adverse impact on the tree as highlighted in the comments received and the replacement planting to mitigate the loss of the tree should be reflective of these ground conditions.
- 7.4 Whilst it is disappointing to see the removal of a protected tree, there are sound arboricultural reasons for the works and the agent is encouraged to consider if the tree could be made safe with major limbs reduced, but retaining the tree as a monolith to provide wildlife habitat.
- 7.5 Due to the size and prominence of the tree the authority would seek two replacement trees to be planted to replace the tree and ensure the amenity value of the tree is protected and enhanced. The replacement trees should be reflective of the potential damp conditions within the drainage area and not be located too close to the properties to the west so as to cause a nuisance from overshadowing. It is hoped that the replacement trees will grow to a mature age to mitigate the loss of the existing tree and a variety of alder is suggested as a replacement species.
- 7.6 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 tree should be granted consent subject to conditions.

9 **RECOMMENDATION:**

That the Executive Head of Place be authorised to **GRANT TPO CONSENT** for application APP/23/00650

(A)

(B) for the following reasons/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 Two replacement trees are required to be planted to retain the integrity of

the Tree Preservation Order 1925. Each 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 each of the replacement trees 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. Each 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.