
Site Address:	Car Park, St Marys Road, Hayling Island		
Proposal:	Remove 1No Oak. Within A1 subject to TPO 1242.		
Application Type:	Works to TPO Tree		
Application No:	APP/24/00446	Expiry Date:	01/08/2024
Applicant:	Mr D Pearson		
	Norse South East		
Agent:		Case Officer:	Tree Officer
Ward:	Hayling West		

Recommendation: **GRANT TPO CONSENT**

1 Site Description

Car Park, St Marys Road, Hayling Island

2 Planning History

10/58134/001 - Fell 8No. Sycamore trees subject to TPO 1242., PERM,13/04/2010
GEN/12/00086 - Query relating to policies and S106., INV,28/02/2012
GEN/15/01249 - Request for tree works., ,15/12/2015
GEN/16/00499 - Proposed erection of retirement apartments., ,27/05/2016 17:56:35
APP/16/00568 - Erection of 33No. retirement apartments (Category II type) with communal facilities and car parking accessed from St Marys Road. (Approved 21.12.16). Request to Discharge Condition No.s 2,5,7,and 10 (05.01.17). Request to Discharge Condition No.s 6, 8 and 20 (20.01.17).Request to Discharge Condition No's 3,8,9,and 14 (14.02.17). Request to Discharge Condition No.13 (3.4.17). Request to Discharge Condition 10 (19.07.17). Request to Discharge Condition No. 11,12 and 13 (WITHDRAWN 11.6.18). Request to Discharge Condition 4 (27.06.2018)., PERM,21/12/2016
APP/17/00104 - Display non-illuminated hoarding signs to east and part of west and south boundaries. 2No. non-illuminated signages and 2 flags above hoarding on east boundary (Elm Grove frontage) . (As Amended by plans received 19/04/2017)., PERM,27/04/2017
APP/18/00132 - Application for non-material amendment of Planning Permission APP/16/00568 relating to the following matters:

Change to style of glazing of the larger windows from a large single top hung window to 2no. opening side lights;
Removal of a small number of windows and replacement by 'tax window' features;
Door design changes;
Addition of opening fire vents to roof (open in event of fire only);
Addition of opening fire vents to stairs (open in event of fire only);
Reduced balcony sizes for a small number of units;
Lighting to doors and balconies
Other minor detail changes.

Extension of Time Agreed until 23rd April 2018 DE, PERM,20/07/2018

APP/18/00487 - Application for non-material change to Planning Permission
APP/16/00568 relating to amendment to Arboricultural Method Statement.
, PERM,09/07/2018
GEN/22/00515 - Copy Doc's: All copies of the planning history, S106, S104 and S38
Agreements related to the development of the site. , ,30/06/2022
GEN/23/00383 - Redevelopment of site to provide 5no. 2-bed 4-person flats in a
3-storey block, with associated parking and amenity., ,15/09/2023 12:30:15
APP/23/00344 - Crown thin 1No. Pine tree in front car park by 10%, and remove the
secondary branch growing in a southerly direction over the car park to provide a
clearance of 3.5m above ground level; 2No. Lime trees crown thin by 20% without
reducing the overhaul height of the trees but reducing the crossing branches and
epicormic growth within the crown, all subject to TPO 1805.
, PERM,11/07/2023

3 Proposal

Remove 1No Oak. Within A1 subject to TPO 1242.

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 Jonathan Hulls

Councillor Paul Gray

Councillor Wilf Forrow

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: 44

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
The report analysis is not supported by the evidence and testing of the tree. APP_24_00446-APPLICATION_FORM-1960941 application in item 7 states 'limited future value, in a high value area and frequent targets' Please clarify what is meant by frequent targets? Both the application and report APP_24_00446-TREE_REPORT-1960936 state that the tree needs removal due to a 'most likely' fungus Armillaria and poor crown this is is not supported in the report with no evidence in the photographs of the normal fungus Armillaria traits nor testing results for the fungus Armillaria. The tomograph shows No distortion/Sound timber. The evidence in the report leads to conclusion that the tree needs arborist action to retain the local eco system by improving the tree with a reduction in crown and monitor over time how the tree responds.	

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 subject tree is in such poor condition that removal is the only reasonable option available to the landowner.
- Whether the loss of local amenity could be mitigated via replacement tree planting.

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

The subject English oak tree stands in the Havant Borough Council public car park at St. Mary's Road. The oak is protected under Tree Preservation Order 1242. The tree is a mature specimen, and has been inspected by Gristwood and Toms Ltd, an Arboricultural Association approved contractor. A tomographic decay investigation report has been produced, dated 15th April 2024. The report highlights that the tree is in poor condition, likely caused by honey fungus. The tree location is subject to periods of high public traffic and footfall, and the tree is unlikely to survive any heavy pruning required to retain it in this public area.

The tree can be viewed from the nearby public highway at St. Marys Road, and provides visual amenity, canopy cover and contributes to the ecosystem services of the area. Further photographs of the oak tree in leaf, showing the reduced canopy density and black tarry exudate running down the tree trunk; have been provided by the applicant.

7.3 The objection received is noted. In this instance, the report and associated non-destructive testing of the tree, along with the more detailed tomography records indicate that the tree is suffering from decline and die-back likely caused by the decay causing Honey Fungus. Dead bark, dead cambial tissue, evidence of the distinctive white sheets of mycelium beneath the bark, canopy sparseness and complete crown die-back; all indicate a problem with the tree's vascular system. The additional photographs, provided by the applicant on 09/08/24, also serve to demonstrate the extent of crown dysfunction and die-back, whilst the photographs of the main tree trunk clearly show the extend of black tarry exudates emerging through the bark of the tree. Several pathogens will produce these symptoms, and the presence of white fungal mycelium beneath dead bark is a strong indication of honey fungus being present in the tree.

7.4 The proposed tree removal and replacement planting appear to be reasonable in this case.

8 Conclusion

It is recommended that the works on 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/24/00446 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 tree is required to be planted to retain the integrity of the Tree Preservation Order. The replacement tree shall be a "light standard" tree with a stem girth of at least 6-8 cm. The replacement tree shall be planted within 2m of the location of the subject oak tree, in the planting season immediately following the removal of the oak tree and shall be selected from the following list:

Fastigate English oak - *Quercus robur* "*Fastigiata Koster*".

Swedish birch – *Betula pendula* "*Dalecarlica*"

Cut Leaved alder – *Alnus glutinosa* "*Laciniata*"

The replacement tree shall be planted in accordance with BS8545:2014 'Trees: from nursery to independence in the landscape-Recommendations'; and BS:3936:1992 Part 1 of Part 4: 'Nursery Stock- Specification for trees and shrubs'.

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; the tree 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 location, 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.