
Site Address: 35 Langstone Road, Havant, PO9 1RB
Proposal: Fell 1No Beech (T1), large Meripilus giganteus fruiting bodies located at the base of the tree at all sides. Fell 1No Oak (T2), progressive signs of dieback present and evidence of bleeding from the stem. Subject to TPO 0091.
Application Type: Works to TPO Tree
Application No: APP/23/00764 Expiry Date: 04/11/2023
Applicant: Mr Rose
Agent: Mr Miller Case Officer: Peter Slegg
South Downs Tree Services
Ward: St Faiths

Recommendation: **SPLIT DECISION**

1 Site Description

35 Langstone Road, Havant, PO9 1RB

2 Planning History

94/59520/000 - Reduce by 5m(max) approx 12 selected limbs on northwester Beech;remove 3 limbs at base of northern part of crown on southeastern Beech;raise crown by 2m on both covered by TP, PERM,15/12/1994
06/59520/001 - Application to deadwood Oak tree and crown thin by 20% 2No. Beech trees. All subject to TPO 0091., PERM,31/08/2006
GEN/13/00760 - Proposed felling of Beech tree., ,28/08/2013
GEN/15/00469 - Proposed TPO orders , ,
GEN/15/00470 - TPO check., ,08/05/2015 16:21:07
GEN/15/00594 - Amendment to TPO record, ,03/06/2015 12:09:56
APP/16/01277 - Crown reduce lower eastern sector by 4m 1No. Beech, within Group 1, subject to TPO 0091., PERM,18/01/2017
APP/22/01074 - T1 - Beech - Reduce 25 m height by 10 m to leave a height of 15 m to severely reduce the risk of failure at the base of the tree. East side 9 m branch lengths reduce by 1.4 m to leave branch lengths of 7.6 m. South side 12 m branch lengths reduced by 2 m to leave branch lengths of 10 m. North side 14 m branch lengths reduce by 2.2 m to leave branch lengths of 11.8 m West side 7 m branch lengths reduce by 0.8 m to leave branch lengths of 6.2 m; subject to TPO 0091 G2.
T2 - Oak - Reduce 19 m height by 4 m (mostly dead) to leave a 15 m height. North facing branch lengths of 7 m reduced by 1.2 m to leave branch lengths of 6.8 m South facing branch lengths of 11 m reduce by 2 m to leave branch lengths of 9 m. East facing branch lengths of 11 m reduce by 2 m to leave branch lengths of 9 m. West facing branch lengths of 10 m reduce by 1.7 m to leave branch lengths of 8.3 m; subject to TPO 0091 G1, PERM,03/02/2023

3 Proposal

Fell 1No Beech (T1), large Meripilus giganteus fruiting bodies located at the base of the tree at all sides. Fell 1No Oak (T2), progressive signs of dieback present and

evidence of bleeding from the stem. Subject to TPO 0091.

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 Gillian Harris

Councillor Imogen Payter

Councillor Phil Munday - St Faiths

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

[illegible]

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 My inspection related specifically to assessing the proposed works rather than generally inspecting the tree's health and condition in any great detail. I visually inspected the tree from ground level and the following report deals with the relevant issues that have been raised on site, in the application form and from my site observations.
- 7.3 The proposal of works includes the removal of a beech tree (T1) within G2 of 0091 TPO due to the infection of the tree with giant polypore fungus (). The fungus can reduce the structural stability of the tree and it is unlikely the tree would recover. Given the residential location of the tree and the high risk target zone, the recommended removal of the tree would be accepted.
- 7.4 Whilst it is disappointing to see the removal of a protected tree, there are sound arboricultural reasons for the works and a replacement tree will be required to protect and enhance the amenity value of trees to the local area.
- 7.5 The species of replacement tree, which should be a native variety, and location should be secured by condition. The species and location chosen should be mindful of the site, the full maturity of the replacement tree and its contribution towards the amenity of the area.
- 7.6 The proposed works would be in accordance with Policy CS16 and DM8 of the Core Strategy (2011).
- 7.7 The application also includes the proposed works to remove an oak tree (T2) within G1 of the 0091 TPO. The tree has evidence of a sparse crown, but this is largely the result of recent pruning works. It is the officer's opinion that the health of the tree should continue to be monitored and allow the tree to respond to the recent pruning works before determining that it should be removed due to declining health.
- 7.8 When determining the application, the local authority must assess the impact of the proposal on the amenity of the area and whether the proposal is justified, having regard to the reasons and additional information put forward in support of it.
- 7.9 Policy DM8 of the Core Strategy (2011) seeks to protect natural features of amenity importance and would permit development where these features are protected and enhanced.
- 7.10 The government guidance 'Tree Preservation Orders and trees in conservation areas' advises that the higher the amenity value of a tree and the greater any negative impact of the proposed works on amenity, the stronger the reasons needed before consent is granted.

- 7.11 The mature oak tree has a high amenity value, being a prominent feature in the local area. Its loss would have a significant adverse impact on the amenity of the area and there is insufficient information to justify its removal. The proposed works to fell the oak (T2) would not be in accordance with Policy CS16 and DM8 of the Core Strategy (2011).

8 **Conclusion**

It is recommended that the works to the trees should be granted a split decision subject to conditions.

9 **RECOMMENDATION:**

That the Executive Head of Place be authorised to issue a **SPLIT DECISION** for application APP/23/00764.

(A) **GRANT TPO CONSENT** for works to fell the beech tree (T1) subject to G2 of TPO 0091 in application APP/23/00764 for application APP/23/00764 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 native tree is required to be planted to retain the integrity of the Tree Preservation Order 0091. The 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 the replacement tree 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. The 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.

(B) **REFUSE TPO CONSENT** for works to fell the oak tree (T2) subject to G1 of TPO 0091 in application APP/23/00764 for the following reason:

- 5 The tree is an important feature in the local landscape and there is insufficient information to justify the removal of the tree. 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 of the Havant Borough Core Strategy 2011 and the National Planning Policy Framework.