

PP-11919080.

Application for removal of tree. 3 Spring Gardens, Emsworth, PO10 7AU.

The tree in question is in a private garden in the Emsworth Conservation area, but it is not subject to a TPO.

The tree is a Bay tree, *Laurus nobilis*, so it is non-native and has outgrown its surroundings. Normally one would expect a bay tree to be trimmed back and maintained as a standard, shrub or hedging. Here the tree has not been trained at all and it is now approximately 8m in height, in a cottage garden only 6.5m wide.

The tree really is the wrong sized tree for the location which it dominates. The location being the small garden of a 300 year old cottage. A cottage garden suits informal beds of perennials and annuals, shrubs for structure, and some bulbs etc. It is not the setting for such a full sized architectural tree.

The trunk is divided into three main branches. One such branch projects at a 30 degree angle and appears to be cracking at the attachment point at the trunk due to its weight. If the branch were to crack and fall in a storm, it would certainly damage ours or the neighbouring property, 1 Pelham Terrace, being longer than the distance adjacent to same.

The tree has become a nuisance to us and our neighbours as it blocks sun from our gardens, shades our lawns and beds, continuously sheds waxy leaves which are non compostable, and provides a roost for wood pigeons which makes parking cars on our drive impossible due to the mess.

The shading effect on the garden is compounded by the presence of a fully mature and even larger London Plane tree, *Platanus x hispanica*, on the verge adjacent to our property, and whose branches overhang. The two trees effectively shade two sides of garden, the house itself shades a third side. As the plane tree is on land owned by the council we have no remedy to this.

The tree is located in the Emsworth conservation area. However I would note that the protected nature of Emsworth is due to its location on the seafront and the presence of Georgian architecture, neither of which are impacted by this application.

I would also note that government guidance permits the local authority to make a TPO only if it appears to them to be: **Expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area.**

Amenity is not defined but the following guidance advises: **Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.**

The only possible 'public benefit' here is the aesthetic nature of a mature tree. However the tree is discretely set back from the road, in a side street. So it cannot be argued that it adds beauty or character to the locality. As for immediate neighbours; the tree is a nuisance due to shading, leaf fall and bird droppings, combining to reduce their reasonable enjoyment of their gardens and drives. The only benefit will be in its removal.

As regards the natural environment, the bay tree is non-native so limited in value as home or forage for indigenous insects, and non-fruiting so no benefit to birds etc.

On a practical matter, neighbours will directly benefit from the tree's removal. We have a two car drive. Due to mess from bird fouling, it is currently unwise to park on the drive, instead we park on the limited free street parking in Spring Gardens. With the removal of the bay tree we will be able to park on our drive again, we will free up two parking spaces for the community.

In summary.

Please grant permission for the removal of bay tree in conservation area. I have explained that the tree is too big for its surroundings, is potentially dangerous, and creates a nuisance. There is no significant negative impact on the local environment if it were to be removed. Hence no public benefit in the council raising a TPO to protect tree.