
Site Address: 1 Dolphin Quay, Queen Street, Emsworth, PO10 7BU
Proposal: 2No. Macrocarpa subject to TPO 2075 G1:-
Reduce height by 3.5 metres
Reduce spread to north by 4m
Reduce spread to south by 5m
Reduce spread to east by 4m
Reduce spread to west by 3.5m
Application No: APP/21/00334
Applicant: Ms C Garland
Agent: Mr M Reed
Ward: Emsworth

Expiry Date: 27/05/2021
Case Officer: Andrew Skeet

M Reed & Co Ltd

Recommendation: **GRANT TPO CONSENT**

1 Site Description

1 Dolphin Quay, Queen Street, Emsworth, PO10 7BU

2 Planning History

90/51798/002 - Retention of 2m high security fencing.
, PERM,21/02/1991
92/51798/004 - Continued use of premises as yacht brokers (Class A2), PERM,
09/71910/001 - Replace existing conservatory with new garden room and add an
additional floor to existing single storey workshop., PERM,22/09/2009
09/71910/002 - Conservation Area Consent for the demolition of existing
conservatory., PERM,22/09/2009
GEN/14/00191 - Proposed application for grant, ,27/02/2014 09:28:06
APP/15/00101 - Crown reduce 1No. Willow by 7m and crown raise 1No. Monteray
Cypress by 5.5m on east side within Emsworth Conservation Area., RNO,05/03/2015
APP/16/00575 - Listed Building Consent to form two interior openings to allow
borrowed light into Flat A., PERM,04/08/2016
APP/17/01167 - Fell 2No. Macrocarpa within Conservation Area of Emsworth.,
WD,23/11/2017
APP/17/01309 - Crown reduce height by 5m and laterals on the south east and west
by 3m and deadwood 1No. Macrocarpa (T1) and Crown reduce height by 3m and
laterals on the north west and east by 3m and deadwood 1No. Macrocarpa (T2). Both
trees are within the Emsworth Conservation Area., RO,17/01/2018
APP/21/00333 - 1No. Willow crown reduce by 4m overall to previous pruning points;
1No. Yew crown reduce height by 2m and west sector by 1.5m to previous pruning
points, within conservation area of Emsworth., RNO,

3 Proposal

2No. Macrocarpa: removal of fractured north west limb subject to TPO 2075 G1.

Reduce height by 3.5 metres

Reduce spread to north by 4m
Reduce spread to south by 5m
Reduce spread to east by 4m
Reduce spread to west by 3.5m

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: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

Conservation Officer

Councillor Julie Thain-Smith

Councillor Lulu Bowerman

Councillor R Kennett

Landscape Team, Havant Borough Council

Planning Application APP/21/00334 1 Dolphin Quay, Queen Street, Emsworth, PO10 7BU

2No. Macrocarpa crown reduce in height by 5m and laterals by 3m to leave overall size of joint crowns of 15m in height and 10m on spread, removal of fractured north west limb subject to TPO 2075 G1.

From a landscape perspective we have no adverse comments in relation to this application.

Kind regards,

Harry Mitchell CMLI
Chartered Landscape Architect
Havant Borough Council

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: 17

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 13

Comment	Officer Comment
The two trees mentioned in the application have a TPO and in my mind that means there should be no risk to the life of the tree and their existence should continue to enhance the area. I am not an expert on these trees but drastic pruning could, I am told, kill them and so whilst not against pruning the trees the council should take expert advice from the local tree wardens on the maximum extent of pruning to ensure the trees survive.	
I am a near neighbour of the application site and also chair of the Emsworth Tree Wardens, so I write in both capacities .After years of neglect, I accept that some pruning work is long	

overdue on these trees, but fear they depth of pruning outlined in the current application is excessive and may well hasten the demise of these trees. They add significantly to the visual amenity of this corner of Emsworth especially for those residents/visitors walking along the iconic path at the edge of Dolphin Quay. They also add to the wider visual amenity as they are quite clearly seen from the footpath skirting Slipper Mill Pond to the east. I support some re-balancing and pruning, but object to the current application as it stands, Thank you.	
While these trees may need some attention the pruning suggestions seem out of proportion to what is required and could lead to the demise of the trees. Given the government's pledges on planting more trees to help counteract climate change, every tree must be considered valuable. So, some pruning but a lot less than is currently being asked for.	
The action to reduce these 2 trees crown height by 5 metres and laterals by 3 metres was turned down in 2018. Monterey cypress trees should not be reduced by more than 1/3rd and heavy pruning as described is likely to kill them. They do not regrow from the trunk so pruning of side branches will leave little green growth. I am pleased to see Andrew Skeet as Case Officer. He has carried out excellent work in Brook Meadow in Emsworth in the past.	
Our comments apply equally to APP/21/00333 and 00334: it is clear that all these trees are in need of expert attention which we support. Our support is, however, conditional upon the due reduction of the dimensions stated: in that no limb should be reduced by any length exceeding 2 metres. Further: any disease, rot or internal damage revealed by such work or attention must be treated appropriately without any delay. Removal of the redundant limb should be effected as stated.	
The application to prune these macrocarpa was previously made a	

couple of years ago. There was massive local objection to the scale of the work such that TPOs were placed on the trees. It was deemed by tree experts that such severe crowning and pruning would likely endanger the life of the trees. It therefore makes no sense to put forward the same application once again for the exact same drastic crowning. It is obvious that some tidying/shaping work needs to be done given the branch hanging over the tow path but certainly not the 5m requested. If a TPO has any value then this application should be rejected.	
The Macrocarpa trees are a much valued part of the landscape of the surrounds of Dolphin Quay and Slipper Mill Pond and need to be treated with due respect. As a member of the Slipper Mill Pond Preservation Association, that now also owns the land surrounding Dolphin Quay footpath, I accept that there is a need for some trimming for structural and cosmetic reasons. I can sympathise with the application, in light of how the new development at Dolphin Quay must have impacted the views from the property. I am however, like many others, very concerned that the proposed extent of the cutback may hasten the demise of the trees which would be a great loss to the area. I therefore request that any pruning is kept to a minimum.	
This is the second times these Macrocarpa trees have been the subject of planning consents. Whilst they do require some judicious pruning, the application made seems way out of proportion to what is required and I am surprised at the approach taken by the tree surgeon who is a long established business in the area. Such a reduction could kill these trees, the only mature ones in Emsworth, as far as I'm aware. We are being exhorted to be more cognisant of our natural environment and appreciate the benefit that this brings. In this context is it not possible for a more sympathetic approach be taken which satisfies the needs of the	

applicants, yet protects these landmark trees and enables the wider public to continue to enjoy them.

These 2 Cupressus Macrocarpa trees are located in the Conservation area on the border between a private garden and the public footpath. They make a hugely important contribution to the Dolphin Quay landscape as seen from both sides of the Slipper Mill Pond and feature in the 2019 Emsworth Town Centre Tree Trail. They also provide much needed carbon capture and wildlife accommodation.

There was much public protest when, just over 3 years ago, the owner applied first to fell and then to radically prune (as per this application) these trees.

In the event, as can be seen by the stumps, several damaged lower branches were removed and one was, inexplicably, left dangling. The applications were not approved and the trees were given TPOs. It was naturally assumed that this would give robust protection for many years to come.

Since that time there have been several serious storms but apart from some minor problems, which could easily be tidied up, these trees look to be healthy, impressive, mature specimens making a contribution to the environment that would take decades to restore if this application were approved.

I therefore object to the application and do not consider the matter should be reviewed again unless a particular problem arises.

However I do appreciate that all but one of the so far published public comments come from people persuaded of the need for some pruning. Presumably the Committee will take account of the fact that all, whether described as Objects, Supports or Neutral consider the scale proposed excessive and potentially life threatening for the trees.

If the Committee is minded to give consent for any pruning I share the view of others that approval should be limited to a max of 2m on both the

crowns and the requested laterals.

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 This application to undertake works to trees protected by a Tree Preservation Order relates to the proposed pruning of 2 Macrocarpa within the property of 1 Dolphin Quay.

Upon inspection it was noted that the trees were broad rather than tall, in fact the height is less than the spread east to west – height being 31 units, width being 40 units. This in itself was a reason for asking for less reduction of height than the 5m applied for.

A 300mm dia primary stem arising from 2.5m from the North East aspect of the northerly tree, is showing an approx. 1m long fracture at the base. Good reaction wood is forming but this remains a significant defect.

A 150mm dia primary stem on the west side of the northerly tree has split in half approximately 5m from the top. Half is still upright but has sustained serious tear-out damage, the other half is still attached and propped lower down in the tree. The upright part will need reduction by several metres to ensure it does not snap at the tear-out site.

A 150mm dia lateral and 100mm dia lateral at 4-5m over the towpath are broken and hanging off.

Both trees are on multiple stems from around 2.5m above ground level, this seems to be due to the trees originally forming a hedge or part of a hedge but then being allowed to grow unchecked for 30 years or so. The numerous compressed stem unions are arguably constituting multiple points of weakness although there is no decay or specific signs of fracturing.

A 400mm dia primary limb has formed from 2m on the south side of the southerly tree, this limb extends horizontally for a metre or so before turning upwards. This is not an ideal formation mechanically and has arisen because of the history of the tree (hedge developing into multistemmed tree).

The primary stem that has split in half needs reduction by 3.5m as a minimum. To reduce this stem by 3.5m but to insist on a general height reduction of less than this could result in other stems breaking due to them being left high but being opened up to wind forces by the removal of the top of the damaged primary stem.

None of the defects listed here are in themselves of serious concern but collectively they are raising the risk of structural failure to an above normal level. Three of the defects listed above (the fracture and the two actual breakages) are beginning to form a pattern of breakages.

In general the trees are in what is generally known as the over-mature stage of life and this contributes to raised risk level. It is agreed that reduction work is prudent to reduce the risk of further, possibly more serious breakages, to an acceptable level. The view of the Arboricultural Officer is that the trees are still in sufficiently good health physiologically, to tolerate robust reduction and actually to benefit from it by producing a denser and more lush compact shared crown.

A number of comments have been received over concerns of the extent of the proposed reduction. The Arboricultural Officer has now agreed a slightly revised proposal which will now not affect the health or amenity value of the trees but will enable management of them.

8 Conclusion

The work proposed is now considered to be appropriate and proportionate and will not detrimentally harm their health or amenity value therefore permission should be granted.

9 RECOMMENDATION:

That the Head of Neighbourhood Support be authorised to **GRANT TPO CONSENT** for application APP/21/00334

(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