
Site Address: 54 Bath Road, Emsworth, PO10 7ES
Proposal: Fell 1No. Pine within Conservation Area of Emsworth.
Application No: APP/20/01229 Expiry Date: 06/03/2021
Applicant: Mrs Hastings
Agent: Mr M Reed Case Officer: Maria Stewart
 M Reed & Co Ltd
Ward: Emsworth

Recommendation: **RAISE NO OBJECTION**

1 Site Description

54 Bath Road, Emsworth, PO10 7ES

2 Planning History

00/57433/002 - Erection of single storey rear extension and timber decking and replacement of timber shiplap at first floor level with semi-matt UPVC shiplap, PERM, 22/05/2000

92/57433/000 - New double garage (detached), conversion of existing integral garage to study and

and C/Use of land to domestic garden with modified boundary walling and fencing., PERM,

3 Proposal

Fell 1No. Pine within Conservation Area of Emsworth.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

Havant Borough Pre Submission Local Plan 2036

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

Councillor Julie Thain-Smith

Councillor Lulu Bowerman

Councillor R Kennett

Landscape Team, Havant Borough Council

Planning Application APP/20/01229 54 Bath Road, Emsworth, PO10 7ES

Fell 1No. Pine within Conservation Area of Emsworth.

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

Kind regards,

Harry Mitchell CMLI
Landscape Architect
Havant Borough Council

Landscape Team, Havant Borough Council

Planning Application APP/20/01229 54 Bath Road, Emsworth, PO10 7ES

Fell 1No. Pine within Conservation Area of Emsworth.

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

Kind regards,

Harry Mitchell CMLI
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: 4

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 5

Comment	Officer Comment
This is an attractive tree visible to those walking along the path beside the sailing club. It could perhaps benefit from some pruning but it looks healthy. Given the current concerns about climate change and the importance of countering this by planting trees, it would be disappointing if a healthy tree in the conservation area were to be cut down and on those grounds I object to this tree being felled.	Noted
App/20/01229 : To fell Pine in Conservation Area, 54 Bath Road, Emsworth There is a poor level of evidence submitted to support the irrevocable step of felling this attractive pine. Presumably since the tree is not TPO'd, the application offers no reasons or evidence for the proposed work. In fact, this is a good looking tree and should be retained; - Visual inspection on 30.1.2021 showed no structural damage to walls, hard surfaces etc., or signs of subsidence. - Emsworth Sailing Club, that owns the adjacent pathway into the Mountbatten Boat Park, have no issues with the tree. - The condition of the tree appears sound. It has been well maintained (no dead wood or hanging branches), and shows no signs of disease or pests. Most importantly this tree is a	Noted and responded to.

significant feature of the Conservation Area, and has high visual amenity value.

It gives important relief at a particularly unattractive section of a well-visited walk from the Mill Pond breakwater past the back of Emsworth Sailing Club and along the high water path past the Boat park. This section has a very urban, back-to-back rather utilitarian feel.

It is the most unappealing part of an otherwise beautiful walk between Nore Barn Woods and Emsworth Mill Pond, and this tree is the only evergreen feature at the pinch point between Bath Road, and the barrier to the boat park.

Its loss would create a noticeable gap and most definitely a detrimental impact on the local landscape.

The tree itself is well shaped (though quite short due to much management). However, it does appear to obstruct the sea view from the first-floor side balcony of no 54.

We object to the destruction of a tree for trivial, short-term reason, especially if the tree is healthy and making an important contribution to the public realm.

This is particularly so now we are more aware of the biodiversity and ecological goods that trees provide.

We request this pine is TPO'd for amenity value, and for expediency.

Further comments: Havant Borough Tree Wardens, (with apologies for unavoidable late submission during Covid restrictions)

It has been suggested that if the Pine was in a residential street that was otherwise devoid of decent trees then there would be a greater potential for it to merit consideration for protection.

We'd like to point out that this tree has significant visual prominence as part of the Solent Way walk, used by

Noted and responded to

extremely large numbers of people, especially visitors and tourists in the warmer months. It is also at the end point of Wayfarer's Walk. It has also been suggested that the Pine could form a very large, dense tree in the southern part of the owner's garden. The presumption is that this will give rise to regular applications for reduction taking away the tree's ability to grow to its full potential. There are several possible responses to this: One is that shade is an invaluable asset given the increasing intensity of the summer sunlight we have experienced due to Climate change, particularly in this coastal position. The tree has already clearly been kept under a tight pruning regime, and will come to no harm if this is continued to manage its height etc. to maintain a balance between attractiveness, tree health and visual amenity. The actual species of the pine has not been given: a presumption has been made that it belongs to a tall growing group and is not a dwarf form cultivar. The position of "wrong tree, wrong location" is not helpful, nor does it reflect the public valuation of trees: tall, mature, impressive heritage species trees line many of the Borough's main roads. These oaks, cedars, horse chestnuts etc. are not put aside as wrong tree in the wrong place however much property owners might resent the overshadowing effect. This pine will not shade the whole garden of the Bath Road house for the entire day: it may however, block the sea view from the first floor balcony, but should that result in the tree being felled?	
The tree in question is outside the Conservation Area boundary and therefore does not need planning	Noted - the tree is considered to be in the CA.

permission to be felled.	
APP/20/01229 Fell 1 Pine within Conservation Area of Emsworth This application to fell a pine tree is made on a form for felling a tree under a TPO, yet that section '10 Application for Tree Works- Checklist', has not been completed. Consequently there is no reason given as to why the tree has to be felled. It appears to be in good health, and is an attractive feature in its position within the Emsworth Conservation Area. Additionally its felling would be contrary to the Emsworth Neighbourhood Plan - - the Waterfront section, p.58 under Coastal Path as an attractive focal point - and p.72 Woodland and Trees, under Street and Spaces - '30/ Trees, groups or avenues of trees, and hedges, particularly along roads, make a special contribution to the character of the area through their large mature status and therefore should be protected'. Considering these points, the ERA objects to this application. Perhaps the branches could be trimmed, if the owner finds them too intrusive in their garden, or if the overhanging branches interfere with dinghy masts when they are moved along the path.	Noted - A S211 notification for trees in a CA does not require a reason for works / felling. The tree is not of a TPO quality in this setting.
The pine tree is an attractive healthy well shaped tree. It is a visual public amenity and part of the landscape of the foreshore when approaching west to east on the sea shore path towards Emsworth Sailing Club. The pine tree acts as a wind break protecting properties and pedestrians at the south end of Bath Road. To remove it would create a wind tunnel effect in the face of the strong	A tree as a wind break is not considered within the process of determining a S211 notification.

south westerly winds which are frequently experienced in that area. I strongly object to it being felled.	
--	--

7 Planning Considerations

7.1 The notice of intent refers to the proposed felling of a Pine within a Conservation Area, HBC Landscape Architect has no adverse comment.

7.2 The applicant has provided the following reasons for proposing to fell this pine (It should be noted that s"11 Notifications do not require reason to be stated within them as part of the planning process):

1. The pine has outgrown its current position and has been planted in the wrong position also is causing a nuisance to my clients greenhouse by excessive shading
2. It in my opinion would not merit a TPO due to reason of poor type/positio.

7.3 Officer Comments:

It has not been possible to undertake a site visit due to Covid working restrictions, Assessment has been undertaken via a desk based exercise in conjunction with previous knowledge of the area in conjunction with photographs submitted by public representation and Google Street View.

8 Conclusion

This is a borderline situation, but unfortunately the tree does fall short of qualifying for a TPO.

If the Pine was in a residential street that was otherwise devoid of decent trees then there would be a greater potential for it to merit consideration for a TPO, but its primary amenity value where it is, is to pedestrians that are passing by.

Another important aspect is that the Pine will form a very large, very dense tree to the due south of the owner's garden and will cause very significant and increasing loss of sunlight on that property. This means the tree will probably give rise to regular applications for reduction, or other pruning, taking away the ability for the tree to grow to anything near its full potential, there would also be further requests for removal that are unlikely to be defensible at an appeal if the Council were to refuse.

This unfortunately in our opinion is a case of wrong tree in the wrong location and it really isn't defensible or proportionate to make a TPO in this instance,

Raise No Objection.

9 RECOMMENDATION:

That the Head of Neighbourhood Support be authorised to **RAISE NO OBJECTION** for application APP/20/01229

(A)

(B) for the following reasons/subject to the following conditions