
Site Address:	11 Hartwood Gardens, Waterlooville, PO8 8RA		
Proposal:	Fell 1No. Oak (T4). Subject to TPO 1357		
Application No:	APP/20/00850	Expiry Date:	12/11/2020
Applicant:	Mr S Fry		
Agent:		Case Officer:	Maria Stewart
Ward:	Hart Plain		

Recommendation: **REFUSE TPO CONSENT**

1 Site Description

11 Hartwood Gardens, Waterlooville, PO8 8RA

2 Planning History

02/62359/002 - Application to crown raise and crown reduce an Oak tree (T4) and to crown reduce an Oak tree (T3) subject to TPO 1357., PERM,17/12/2002
00/62359/001 - Single storey rear extension, PERM,23/03/2000
97/62359/000 - Removal of 1 limb and reduction of branches on north-west of Oak tree (T3): redu
ction of limbs to north-east and north-west and raising of crown of Oak tree (T4
): trees covered by TPO 1357, PERM,23/04/1997
09/62359/003 - Crown lift to 4.5m and crown reduce by 20% a Common Oak tree (T4), subject to TPO 1357., PERM,03/03/2009
APP/14/00291 - Crown raise to 5m and crown reduce by 2m a Common Oak tree (T4); crown reduce west side by 2m a Oak tree (T3) subject to TPO 1357., PERM,24/04/2014
APP/18/00042 - Crown raise to 5 metres and crown reduce by 4m 1No. Oak (T4) subject to TPO 1357., PERM,28/02/2018
APP/20/00411 - Crown reduce western sector of 1No. Oak (T3) by 3m back to previous cutting points. Subject to TPO 1357. , PERM,02/07/2020

3 Proposal

Fell 1No. Oak (T4). Subject to TPO 1357

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 David Jenner

Councillor E Shimbart - Hart Plain

Councillor P Bains - Hart Plain Ward

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: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 3

Comment	Officer Comment
The oak tree in question is a mature and healthy tree. The area around Hartwood gardens and between the houses of Hart plain Avenue and Silvester road is a beautiful wooded area with high amenity value providing a natural habitat for wildlife. We are concerned as the wooded habitat is shrinking. There has been an oak tree nearby felled due to disease and another large Ash tree nearby is showing signs of Ash die back and will have to be felled in due course. This tree is well shaped and appears healthy and well managed. The tree is also very mature and offers a high amenity value to the area. The tree will also undoubtedly absorb a large amount of ground water. This area is prone to waterlogged gardens as it has a large drainage ditch nearby. If the tree was removed then this would have a detrimental effect on the amount of water in nearby gardens adding to the waterlogging issues. If the tree were removed then it would undoubtedly have an adverse effect on the natural habitat in this area which includes many species of birds and animals including woodpeckers and bats who live amongst the trees.	Comments noted. Wildlife habitat cannot be taken into consideration when deciding works to TPO trees.

We feel this tree should remain in-situ to retain the wooded look of the area and also the natural habitat of animals.	
I fully support the application to fell Oak T4 as the tree causes considerable reduction of daylight to my property. In addition, leaves and other debris from the tree cause regular blockages to the gutters of my property.	Comments noted. The tree could be managed by way of pruning rather than felling to address any possible daylight reduction. However this is not a significant consideration when dealing with a TPO application.
We support the felling of the Oak tree in relation to TPO 1357. Having lived in this property for almost 30 years the tree is now disproportionately large. Irrespective of frequent cropping, the tree requires cost and effort to maintain a more reasonable size. The tree seriously overhangs our property boundary. Tree sap, bird droppings and branches have caused paintwork damage to cars over a number of years. Drainage and guttering issues have necessitated costly replacement of downpipes and frequent clearing of guttering. Our house is angled to face east so there is a considerable lack of natural light permeating through the tree. As per the proposal, we would welcome its replacement by a more appropriate species.	Comments noted. See comments above. Gutter guards could reduce the leaffall into the guttering along with bird scarers placed on branches.

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 work to a tree protected by a Tree Preservation Order relates to the proposed felling of one Oak tree located in the lawn at the front of the property.

The applicant has applied to fell the tree because it is disproportionately large and causes excessive shading, causes gutter blocking issues, and issues with tree sap

and bird droppings on cars. A tree surgeon has also advised that the tree is getting denser after each crown reduction.

As far as it was reasonable to see the tree appeared to have good vigour and vitality for its age and species and the applicant has not submitted the application based on its condition. The tree does have a dense crown and it has historically been managed by way of a crown reduction to manage the tree in its location. There is currently sufficient clearance between the trees canopy and dwellings. It is visible from the road and is therefore considered to have a public amenity value within the cul-de-sac.

Whilst the applicant's reasons for felling the tree are noted along with the comments from neighbours, these issues could be address by way of pruning, rather than felling. The installation of gutter guards and bird scarers could also be installed which would aid the issues with leaves in the gutters and bird excrement.

8 Conclusion

The felling of this tree would result in a loss of public amenity therefore it is recommended that permission be refused.

9 RECOMMENDATION:

That the Head of Neighbourhood Support be authorised to **REFUSE TPO CONSENT** for application APP/20/00850 for the following reason

- 1 The tree is a significant feature in the local landscape and appears to be in adequately sound and healthy condition. Its proposed felling would result in undue loss and detriment to the visual amenities of the locality. [A more appropriate course of action would be through management of the tree's size and impact through a scheme of approved surgery.] It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.