
Site Address:	Land to north of 36 Herons Way, Hayling Island		
Proposal:	Fell 1No. Oak tree subject to Group 6 of TPO 1924.		
Application No:	APP/19/00182	Expiry Date:	08/05/2019
Applicant:	Mrs N Bailey		
Agent:		Case Officer:	Maria Stewart
Ward:	Hayling East		

Recommendation: **GRANT TPO CONSENT**

1 Site Description

Land to north of 36 Herons Way, Hayling Island

2 Planning History

APP/12/00966 - Conditions imposed by the Planning Inspectorate in letter dated 17/07/2013 in upholding an appeal against planning refusal APP/12/00966 granting permission for 131 dwellings with associated residential curtilages, parking and turning areas, public open space, new vehicular access from Beech Grove and new pedestrian and cycle access from St Margaret's Road, REF,21/12/2012

GEN/13/00960 - Existing TPOs on Land at Goldring Close, Hayling Island., 24/10/2013

GEN/14/00155 - Pre-application preliminary meeting - emerging proposals for development site, 17/03/2014 15:42:01

APP/14/00488 - Reserved matters application for 131No. open market and affordable dwellings including 10No. one bed dwellings, 25No. two bed dwellings, 52No. three bed dwellings, 40No. four bed dwellings and 4No. five bed dwellings with associated residential curtilages, parking and turning areas, public open space and surface water attenuation features; and discharge of conditions 5, 6, 10, 15 and 21 of Planning Permission APP/12/00966 approved by appeal APP/X1735/A/13/2192777., PERM,29/09/2014

GEN/14/00594 - Convert property into two, and rear extension., 13/06/2014 15:59:35

APP/14/00613 - Demolish existing dwelling and construct part of access road to serve adjacent development land to south (pursuant to Outline Planning Permission APP/12/00966 approved on appeal ref APP/X1735/A/13/2192777 for 131 dwellings)., PERM,22/08/2014

APP/14/01031 - Discharge of Condition No/s 9, 16, 22 and 23 of Planning Permission APP/12/00966., PERM,19/11/2014

APP/14/01032 - Discharge of Condition No/s 3 and 4 of Planning Permission APP/14/00488., SPL,25/11/2014

GEN/14/01043 - Erection 3/4 bed house., 16/01/2015

APP/14/01074 - Discharge of Condition No. 19 of Planning Permission APP/12/00966., PERM,13/11/2014

APP/14/01174 - Display of 5 freestanding signs and 5No. flags mounted on 4m high flagpoles., PERM,09/02/2015

APP/15/00645 - Discharge of Condition No/s 8 and 18 of Planning Permission APP/12/00966., PERM,04/11/2015

APP/15/00685 - Variation of Condition 2 of Planning Permission APP/14/00488 (Approved plans) to replace existing approved soft landscaping layouts and Variation

of Condition 3 of Planning Permission APP/14/00488 (Acoustic fence) to enable removal of acoustic fence in phases as construction site area is reduced., PERM,05/11/2015

GEN/15/00715 - Proposed replacement fence., UNK,

APP/15/01071 - Discharge of Condition 9 of Planning Permission APP/14/01174., PERM,14/10/2015

APP/15/01353 - Regularisation of 3No. temporary sales parking bays opposite development sales office, for duration of two years during the construction of the development., PERM,15/02/2016

GEN/15/01225 - General Enquiry, ,11/12/2015

GEN/15/01236 - Request for information on outstanding applications., ,11/12/2015 15:11:24

APP/15/01396 - Application for non-material change to Planning Permission APP/12/00966 to for inclusion of an additional window with obscured glass to en-suite gable elevation on house type H25, plots 127 and 131., PERM,28/01/2016

GEN/16/00028 - Request for information., ,13/01/2016 09:19:48

GEN/16/00502 - Enforcement Enquiry - Removal of hedge/fly tipping., ,26/04/2016

GEN/16/00503 - Enforcement Enquiry - first floor level windows - no breach., ,29/04/2016

GEN/16/00554 - Trees directly behind property which are protected - some of the branches are dead and some are overhanging garden. Who is responsible for this? Children play area that has been built - when will the fence be coming down so that they can play on it as they are presently playing in the roads which is dangerous. , ,17/05/2016

APP/16/00744 - Erection of a corner shed in rear garden., PERM,15/09/2016

GEN/16/00817 - Construction of patio and erection of garden shed, ,22/07/2016 13:52:02

APP/16/01126 - Single storey rear extension, PERM,09/12/2016

APP/16/00838 - Erection of 2No. summerhouses in rear garden and raising of land to rear boundary., PERM,15/09/2016

APP/16/01297 - Crown lift to 4m, crown reduce by 2m 1No. Oak tree (T55 as on plan); crown lift to 4m, crown reduce by 1m on northern sector 1No. Oak tree (T56 as on plan), subject to TPO 1924., PERM,01/03/2017

GEN/16/00856 - Query re TPO tree outside property. Can be removed under DD exemption., ,03/08/2016

GEN/17/00273 - COPY DOCS - Deed of Variation 25/09/2014, Deed 06/11/2014 being Section 251, 278 and 38 Agreement., UNK,

APP/17/00352 - Non material amendment of Condition No.16 of Planning Permission APP/12/00966 relating to previously submitted layout for site access raised table location to be regularised with as-built construction., PERM,28/07/2017

APP/17/00436 - Removal of lowest limb over parking bay adjacent to No.14 Windsurfing Place 1No Oak subject to TPO 1997., PERM,31/05/2017

APP/17/00535 - Application for certificate of lawfulness relating to single storey rear extension., PERM,10/07/2017

APP/17/00761 - FOR INFORMATION ONLY - NO REPRESENTATIONS BEING INVITED

Deed of Modification under S106 A of the Town and Country Planning Act 1990 in relation to land North of Goldring Close and My Lords Lane, East of St Margarets Road and South of Beech Grove and Hawthorne Grove, Hayling Island, DEL,

APP/17/00832 - Reduce northern sector 1No. Oak (T1) by 3 metres back to fence line to provide clearance of overhanging branches over parking bays. Reduce northern sector 1No. Oak (T2) by 1.5 metres back to fence line to provide clearance of overhanging branches over parking bays. Reduce northern sector 1No. Oak (T3) by 0.5 metres back to fence line to provide clearance of overhanging branches over

parking bays. All 3 trees within Group G2, subject to TPO 1997., PERM, 31/08/2017
 GEN/17/01229 - Verandah - pp required., 09/10/2017
 APP/18/00026 - Crown reduce 1No. Oak by 2.5m on eastern sector. Subject to Group Order of TPO 1924., PERM, 07/02/2018
 GEN/18/00173 - Proposed summer house, 21/02/2018 10:52:59
 APP/18/00208 - Crown reduce eastern sector 1No. Oak (T1) by up to 2.5m, subject to TPO 1924., PERM, 19/04/2018
 GEN/18/01114 - Garage extension, 22/11/2018 16:32:10
 GEN/18/01181 - Section 106 Agreement - obligations binding on individual house owners., UNK,

3 Proposal

Fell 1No. Oak; crown reduce 1No. Oak back to fence line of 36 Herons Way. Both trees subject to Group 6 of TPO 1924.

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

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: 34

Comment	Officer Comment
The oak trees provide an important barrier for both noise and sight between the school and the new development.	
Keeping these was one of the conditions for us supporting this development.	

Obviously the safety of local residents is important. The trees, with preservation orders, were there when the properties were purchased.	
We wouldn't object to a moderate cut back but would object to the trees being removed or overly cut back.	
See Representation in Documents: Object - Recd 03/04/19	
To whom it may concern, We are writing with regards to the letter received regarding the felling of an oak tree in our vicinity, your ref:app/19/00182. We are saddened to see that a request has been made to fell a perfectly healthy oak tree. The tree in question appears in good health and forms part of the natural boarder between the local infant school and the development and is an area used in abundance by the local wildlife. We do not take issue with the sympathetic trimming back of these trees, something which may be a necessity, However, the removal of one of the trees appears somewhat misleading. Surely these trees have a TPO for a reason and so we would ask that this is uphold for the greater good of both the local environment and the appeal of the development. The tree does not appear dangerous as stated and is not mentioned as dangerous in the tree surgeons report. These trees are bio diverse habitats and contribute to the local air quality. We feel the removal of this established tree will be detrimental to the leafy character of this part of the development , whilst removing part of the long standing and natural screening which is cherished by the infant school next door. As a result we would ask that the felling of the tree is rejected so it remains in place and if deemed necessary a sympathetic trimming back approved. Kind regards.	

Having read the arboricultural assessment, I can see no reason why the trees should not be cut back on safety grounds. However, I can't see why a tree protected by a TPO should be felled - it would have an effect upon the local ecology. It may be the case that the applicant wishes to build upon this land, but that is not indicated in the application and should not be disguised under sham safety concerns. Further development of this land should respect the TPO.	
This tree has been there for a considerable amount of years and was in situ when the now owners procured the property. The purpose of the TPO is to protect the tree for exactly this reason. The tree attracts a significant amount of wildlife including bats in this area.	
I have visited site to view the proposals as I did not find the photographs particularly helpful. My comments are as follows: 1) No tree should be felled. Its new development and the trees were there first. The house holder clearly was aware of this when they purchased the property. Trees have preservation orders for good reason, not least their environmental benefits i.e pollution & chemical filters, noise screening, soil erosion, absorb carbon dioxide, reduce wind speeds and reduce the impacts of rainstorms etc plus their obvious benefits to wildlife and our own well being. 2) There are bird boxes on the trees and no work should be carried out in the breeding season. The trees are currently coming into leaf 3) Trees do grow and I have seen that there are some over hanging branches into the garden of 36 Heron Way - I would therefore not object to the professional and sympathetic (i.e leaving the trees in a sustainable state) pruning of the crown supervised by the Arborist who works for the council Mr Andrew Skeet	
Trees of this age are of spectacular and special interest to nature and its inhabitants.	

Trees of this age cannot be replaced quickly. They take life times to reach this maturity. This tree is of spectacular beauty and removing it will dramatically change the area and it's appearance. Trees of this stature are critical to the wellbeing of humans in relation to absorbing harmful carbon dioxide and releasing critical oxygen. Oak trees are a critical part of our ecosystem and extremely important in halting extreme climate change. Please can we protect the vital part trees like this play in our survival and recognise we must preserve them at all costs.	
These trees are years old and provide a barrier for privacy and screening and noise filter for the school and homes. Removing them would make the noise carry further into the estate and less privacy for the school children. If this in extend soon can be built why did the wonders not buy a bigger house to start with - the trees also absorb polutatants in the air...the trees should stay unless they become dangerous	
This tree provides habitat for a range of different wildlife. It provides a soak away for land nearby that is prone to flooding due to limited run off areas. It provides green and beautiful space for all around. It would be a terrible loss for all of this was to be felled. I strongly object to any reduction in green space	
I completely object to taking these two trees down. Haven't enough trees already been cut down to make room for these houses, why harm two more that can be used as wildlife homes for not a good valid reason from the home owner. The oak trees provide fresh clean air to our children, which being next to a school is a bonus for our environment. It is a home for many different species of wildlife, which would leave them without homes or food. Oak trees are also very good for our eco system. It is people like this that is killing our environment everyday.	

Please do not cut down this beautiful old oak. It would be such a shame.	
At a time when air pollution is known to be damaging children's health, leading to a significant rise in Asthma etc, it seems irresponsible to be cutting back or removing established trees which are known to remove harmful substances from the air. Portsmouth was recently ranked as having one of the worse air qualities in the country and a recent study showed that established trees significantly reduced harmful particulates at road sides. This site is near a school and it seems neglectful in the extreme to do something that would make air quality worse for our children.	
I object. Too many trees have been removed for the building of new houses as it is we cannot remove more. This creates harm as for wildlife, benefits our health and creates privacy for some occupants.	
We cannot allow these oaks to be felled we've lost too many in this area already	
Are we not losing enough nature on Hayling with all the building! Oak trees should be left alone, they help clean the air, please stop letting people ruin our little island	
I support this application given the current state of the trees across this line. Many of the trees have a lot of dead or dying branches that continually fall in high winds. The trees could easily prove a danger to visitors, animals that are often walked in the street as well as children who play in the area.	
We have family on this estate and have had to park under the tree listed for felling only to come back to our car with branches having landed on it. It noticeably has a large number of large dead branches. The tree needs to be addressed before branches cause damage to cars, or worse, people.	
the tree is in a bad condition. It is half dead at the turning at the end of Herons Way. I think it is a health and	

safety concern as there is often large dead branches dropped off it on to the road. I support this action	
I have family in this area and have noticed previously that a number of the branches look dangerous and in need of cutting back. I cannot see any issue with this when it is causing a danger to both property and people.	
I object to the felling of tree one and to a crown reduction of tree two back to the fence line although I understand some careful pruning may be needed. These two oak trees although not perfect have a beautiful shape. They can be viewed and admired from the far side of Legion field and provide visual enjoyment. They are close to Mengham junior school and provide a home for wildlife and provide a beautiful back drop for the children when they are at school. Each of these trees gives a significant service to the ecosystem A single oak tree of similar size in Hayling filters 24,076.5 litres of storm water and removes 728.3 kg of carbon dioxide each year. Acorn and leaf drop of oak trees is a natural process. When the Halyards site was developed the decision was made to build as close as possible to TPO trees and groups. There was significant opposition to the original planning but it was granted on appeal. The inspector took into consideration the plans presented to him .This included the plan of trees to be kept within the development. The plan of trees can be found in the Arboricultural statement of the original application. APP/12/00966 Conditions imposed by the Planning Inspectorate in letter dated 17/07/2013 The report noted '4.1 Summary: Of the total of THIRTY SIX trees, groups and hedges surveyed, only FIVE will need to be wholly or partially removed. Additionally, only TWO trees and part of ONE group will have activities	

arising from the development occurring in their RPAs. These activities include the installation of a new access driveway and other surfacing, and the use of temporary ground protection to allow access across RPAs. My view is that provided suitable detail is requested and approved by the council at a later stage, then the granting of outline consent for the site is arboriculturally acceptable and there is likely to be minimal risk of any adverse impact on the trees to be retained.'

I feel it is important to honour this plan and to do as the report says- 'maintain that position of minimal risk' to the trees. It is important that these trees listed in this report are retained.

Crown reduction /Cutting back

I also think that careful consideration should be give to the amount of cut back to the oak. When the original plans were made and the house built on this site the overhang of this tree was not considered a problem and no recommendations were made for work on the tree (see Arboricultural statement)

I hope an expert will consider any implications to the shape and visual impact to the TPO tree.

The Crown reduction by 10 meters on the fence side is very severe and a less severe pruning should be considered.

A crown reduction would affect the visual impact of the tree

An over generous pruning could slowly erode its quality possibly leading in a few years time to a further request to fell the tree. The significance of the roots of the tree should also be considered .This crown reduction would not mean the roots disappear and the proposal for possible extension mentioned in the application could lead to interference with the roots and a further weakening of the tree.

Hayling Island is rapidly losing its large trees. To match the benefit of a large tree, in the first year of planting, you would have to plant several hundred saplings. There are currently no plans

in this application to plant any replacement trees.

The Aboricultural assessment from this application, written by Solent Tree surgeons does not provide sufficient evidence for felling or crown reduction; neither does it provide any evidence of disease in the trees.

It states that there has been recent drop of dead wood. Many trees in Hayling lost dead wood in the recent high winds. It says there is evidence of scorching. I am not sure what this means (wind scorch?) but I have seen some scarred lower branches which look like they may have been damaged by vehicles on the building site.

It also states that T2 is a low grade tree. What is the evidence for this? Is it possible to identify this tree more clearly because this tree may well be the tree identified as G29 a Category B tree in the original Aboricultural statement, which means it is not poor quality. I also cannot see any low grade trees listed in this vicinity in the statement

The reports provide insufficient evidence to justify the cutting back of the tree and no evidence in support of felling a tree.

The application states that the tree officer has visited and viewed tree 2 but there is not as yet any comments to this effect online.

I agree with the request to fell the oak of poor health, and crown reduce the second. Firstly, both trees (quite massively) overhang the garden in question so should be afforded to be cut back regardless. The tree being requested to fell has visible dead branches (some large) that have caused damage to vehicles already. Given the public can walk under it, I would also agree it poses an issue regarding the safety of persons under it on the road side (and the garden in question). As per the Tree Surgeon report attached to the application, the tree is of poor health, caused by fire damage from a number of years ago. It is also a poor specimen oak. A tree

documented as dangerous by a qualified professional should not be allowed to stay. I love trees, but but this is a simple, commons sense decision. I support his application.	
Like other objectors I am dismayed at the amount of mature trees that are being felled on Hayling. The trees have been protected by law and that should stand. The owner was aware of the trees when they bought the property. The loss of mature trees are not justified. Trees are a bit messy and sometimes branches fall off them but the value they provide for our climate, our wellbeing and for wildlife are invaluable.	
I object to APP/19/00182 Fell 1No. Oak; crown reduce 1No. Oak back to fence line of 36 Herons Way The aboricultural assessment provides no evidence in support of felling either tree. They were protected when the plans for Halyards were eventually approved on appeal after much opposition and I do not think that this protection should be removed. The Planning Inspectorate in 2013 said "there is likely to be minimal risk of any adverse impact on the trees to be retained" . How can we believe any assurances by developers and planners, when promises made during planning applications about trees, which can live for hundreds of years, only last six years after the developers have collected their profits. These oaks provide part of the local infant school's wider environment where the oak's rich habitat can host hundreds of species of insect, supplying the food for many British birds and bats which can be enjoyed by the children of Hayling Island in the future. The value of their role in sequestering carbon, reducing air pollution, moderating wind speed, reducing rain run off, providing shade and moderating heat in the Summer should not be underestimated.	
my wife. and I have lived on hailing for over 30 years, and have walked past the application site in question quite a few times.we walked it when it was	

fields and more recently as it come Halyards development .we use it as a cut through to the town centre.we pass the trees in question often, and seen them develop over the many years.we we are both keen tree and wild life enthusiasts ,so are keen to give our thoughts on the application .

1.application to crown reduce the tree at rear side is acceptable .from what"s visible from the front, it appears to over hang into the garden in questioning therefore do not object to it being cut back.

2. we have seen the oak at the front deteriorate significantly over time.is this the one being cut down as it looks as it is in bad condition .the arborist report is correct and there is a stable fir underneath. it.i can attest to some comments on the application that branches do fall from time to time.the state it sits now is not a good one ,and we would lend our support to the application in felling.

I frequently visit further up Herons Way, but am aware of the issues with the tree being requested to be felled. As described in the application, I would agree it is of a poor specimen. From memory, it stems from a fire a few years back when there was a shed underneath -I have personally seen a large branch fall from it (I had to move it out he road) Had it hit anyone, I can say with confidence it would have injured them at the very least. I actually saw a group of 3 children playing in the 'vehicle turning T-section' where the tree overhangs late Summer last year, and told them not to play there because of it. I do believe a sensible route is to fell, or at the very least, have it substantially reduced. Regarding the second tree, (located West of the road and first tree) it has a large overhang onto the property applying for the reduction - this is a fair request given its reach.

I sympathise with the request to fell the poorer quality tree (poor health and is demonstrably a safety issue).

Secondly, I support to the second tree reduction. Personally, I would not be

comfortable with this overhanging ANY property - public or private. Upon reading the 'Solent Tree Surgeons' document submitted as part of the application, this view seems to be echoed. For those reasons I am supportive.	
I have no objections to this tree being removed There is evidence to suggest that the tree is in a poor state (shown by the amount of debris around) The tree is not going to improve and will only deteriorate further potentially leading to significant damage to property etc	
See Representation in Documents: Object - Dated 28/3/19	
See Representation in Documents: Object - Recd 04/04/2019	
OBJECT to the Application 1. Not in line with the intent of the submission to Planning Consent HBC APP/12/00966 2. Confusion in submitted documents as to which tree is to be felled 3. Damage to a tree is not a reason to fell it. 4. Loss of ecosystem services. 5. Loss of ancient woodland and community amenity 1.1 The HBC website map of Heron Way showed the TPO Group reference in July 2018. The TPO references were made in the Local Tree Warden submission to HBC APP/12/00966 the planning application for the housing development which includes Herons Way. All the TPO data on the HBC 'Where I Live' website has been changed in the last six months and a number of designations removed, all without public notice. These changes make it impossible to check back what was said by the (Havant) Local Tree Wardens against the Application for the development APP/12/00966. According to www.gov.uk "Generally, the main reason a TPO is removed is that there was a mistake with the original order and if this was the case, a new order would be required.	

However, it's also possible that the TPO could be lifted if the tree is dead, dying or diseased."

1.2 The British Standard developed provides information to Local Planning Authorities.

"British Standard 5837: Trees in relation to design, demolition and construction - recommendations".

HBC APP/12/00966. used in its preparation BS 5837, RPA (Root Protection Area) by multiplying the diameter of the tree at breast height in meters by 12 and capped as an area with a radius of 15m.

Tree roots are primarily in the top 30cms of the soil because further down in the soil, oxygen becomes more limiting and roots need to respire.

Beyond the end of the root system, the tree uses a complex network of fungi to gather more nutrients. This Mycorrhizal fungi attach to the roots of the tree and gives sugars to the fungi and gets in return nutrients from the fungi.

The Woodland Trust and the Ancient Tree Forum advise the 12 times DBH diameter should be minimum of 15 times or 2m beyond the drip line, so using BS 5837 is a weak compromise. Development

1.3 In the Application APP/12/00966, for the housing development there was serious consideration of the TPO status of the trees in the development area and the submitted Arboricultural Implications and Method Statement (12311 AIA) in respect of these trees was accepted by HBC as part of the final decision. This must still be applicable. HBC also commented that the rural setting of this part of the Chichester Harbour ANOB was important in the response to the application. That importance remains and these trees contribute to it.

1.4 We are unable to find the 'As-built' drawings for the development. In the original Arboricultural Implications, the Root Protection Area was defined and fences to protect the trees were drawn

on the site plans. It is not known if the existing fence was on the plans. This is important if the applicant is removing the branches to enable a further application for further development by putting up an extension in the Root Protection Area, removal of the branches will not affect the tree and its overall well-being. From the photo TPO Oaks Herons Way HI 050419 1 the trees are not reaching over the garage.

2.1 There is some confusion with the Application Documents where on the Plan Sketch T1 appears to be is the easterly of the two and closest to the house/garage/road and the Arboricultural Assessment by Solent Tree Surgeons gives T1 as the tree to the west and T2 alongside the dog-leg in the fence and close to the hammerhead (the road).

2.2 The photographs are ambiguous without a reference as to which tree is the subject of the application.

3. The application, on one hand, says the tree is damaged elsewhere it says it has been fire damaged. This is not a reason to fell it. The branches have stayed on through this winter's storm and other previous storms and so will be getting stronger as they heal (see photo TPO Oaks Herons Way HI 050419 6)

4. For the proposed tree to be felled, based on calculations by the Open University, the losses to the ecosystem services per year would be:-

Energy conserved 1,454.2 kwh/year
Carbon dioxide removed 293.9 kg/year
Air quality improved 1.2 kg/year
Storm-water filtered 7.911.6L/year

Both these trees have similar ecosystem services and the two trees give a joint carbon dioxide amount stored to date of about 1.7 tonnes.

5. These trees in an area characterised by plants typical in ancient woodland. With that comes the wildlife benefits and community benefit recognised by the TPO designation.

(Photos by post)	
I object to the felling of 1 Oak Tree and the considerable cutting back of a 2nd Oak Tree near to 36 Herons Way. The trees are protected and were so when plans to build the houses on the Halyards estate were approved. Bellway have built as close as they could to the trees. The house owner were clearly aware of the trees when they moved in. These Oak Trees are situated next to the school. It would be a terrible example if the trees were felled. Children should not be playing near the trees as they are adjacent to both a parking and turning area. There is no woodland area on Hayling Island. Every tree is precious. In this particular case, the trees are incredibly important for drainage as it is a potential flood risk district. They are also of paramount importance to local Wildlife. Indeed Bird nesting boxes and Bat boxes are in place in these Oak trees. It is also the nesting season. Lastly and perhaps most importantly for the residents, Children and other people who view these fine Oak Trees, they are incredibly beneficial for everyone's Mental Health.	
Regarding the tree being applied to have felled; I live on Herons Way, and know first hand how dangerous this tree has been in the past. I frequently seen big bits of it fall into the road (and my car once), and I seen its health deteriorate over the time I've lived on Herons Way. There is a consensus amongst us who live on the road that it should be either heavily cut back (there is a lot of dead wood) or cut down completely. I'd be wanting to do the same if it was near my house or garden and kids or the public. Visually It looks unhealthy, and would not be a loss to the road or area. It has definitely got much worse in the last couple of years. It has also been discussed previously as a concern and dangerous by neighbours. Talking the neighbours on the street, there is	

support for this to be done. I'd say its a easy decision to be honest, its well known the tree is a danger and there is multiple concern about it on the street - hence im supporting the application. The one behind it looks ok, but does go a long way into the garden of the house at the end, so again id be wanting to cut it back a bit if it was me. No objections to that.

Subject Application APP/19/00182

My work involves analysing trees and their associated environmental impacts / benefits. This application was flagged to me by a resident who asked me to review the applications accuracy, and the trees in question.

My findings and thoughts are as follows:

a) TPO tree far West of Herons Way (requested cutback - marked T1 in the arbor report).

This tree is of good health - some dieback, which could cause concern in the garden of the property in question. As referenced in the arbor report, farming activity may have contributed to this. Crowning of the tree in line with the arbor recommendation could be undertaken with minimal impact to the health of the tree, given its maturity and reach. It is of good visual amenity.

b) TPO tree closest to Herons Way (requested felling - marked T2 in the arbor report)

The tree has been damaged (visible on the Southern sections of the tree). In agreement with arbor report, this is likely due to fire exposure. A significant proportion of South facing branches are dead, with a further proportion in deteriorating condition. I believe these do contribute to a risk of injury should they fall. Multiple branches visible on the ground during my visit. Visually, tree is of poor amenity. Given the condition, water retention and carbon dioxide benefits are already greatly reduced, and I believe will continue to

reduce over time. I would advise that any part of this oak overhanging property with any public / private access beneath should be removed (some as a matter of urgency). Furthermore, I would provide my support in felling this oak in order to alleviate the risk entirely moving forward. I believe the condition will continue to decline over time.

My professional opinion in this situation is that safety concerns override all other considerations when a decision is made.

I give my support for the findings contained within the Solent Tree Surgeons attached report.

I second this application in its entirety.

Yours,

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 for permission to fell a tree protected by a Tree Preservation Order relates to an Oak tree situated on land immediately to the north of 36 Herons Way, Hayling Island. The canopy overhangs the garden of the property and also the parking area adjacent to it. The applicant wishes to fell the tree because it is in a poor condition, potentially dangerous, large branches fall frequently, it overhangs their boundary and they may wish to add an extension to their property.

A total of 33 representations have been received. 22 letters of objection and 11 letters of support.

A summary of the objections are as follows;

The tree provides privacy and a noise filter,
absorbs water,
cleans the air,

acts as a visual barrier,
supports ecology,
supports wildlife,
too many trees have been cut down for houses,
the tree has a TPO for a reason,
the tree is healthy,
pruning would be more appropriate,
the trees were to be retained as part of the planning permission for the houses.

The letters of support are based around the poor condition of the tree and dead branches continually falling where children play and cars are parked.

Jamie Gargett and Maria Stewart undertook a site visit on the 12th April to assess the tree.

The mature Oak tree numbered tree 1 on the applicants plan (and tree 2 in the tree surgeon's report) is in a poor condition. It has a significantly thinning canopy, dead branches and small leaves, all factors indicating the tree is in decline. It is noted that the report states there was a fire near the tree. There were no scorch marks evident, however, this, and the previous land use, which is understood to have been equine fields with stables in close proximity to the trees, may have contributed to the trees decline.

The tree can be said to have public amenity value, however, given its high target location with people and property underneath and around it, the poor overall condition of the tree makes it unsuitable to be considered to be retained.

Although the tree is protected by a Tree Preservation Order, when the condition of the tree deteriorates it is not reasonable to expect the tree to be retained. Whilst trees do have environmental benefits, again, this is not sufficient justification for retaining a tree in poor health. Factors such as its contribution to wildlife and biodiversity cannot be taken into consideration when dealing with an application to undertake works to trees protected by a Tree Preservation Order, however, birds and bats that may be in the tree should be considered and appropriate steps taken not to harm them. This is the responsibility of the person carrying out the work.

8 Conclusion

The tree is in a poor overall condition and for the reasons given above, permission should be granted to fell the tree subject to a replacement tree being planted in a suitable location.

9 RECOMMENDATION:

That the Head of Neighbourhood Support be authorised to **GRANT TPO CONSENT** for application APP/19/00182 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 08/05/2020.

Reason: To control the timing of the works

- 3 The tree to be felled shall be replaced by 1 *Quercus robur* (English Oak) to be planted in a position to be agreed with the Arboricultural Officer prior to planting. The tree should be a height of at least 1.8 metres when such replacement planting is carried out.

Reason: To conserve and safeguard the visual amenities of the locality.