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Site Address: 2B Royal Way, Waterlooville, PO7 8JE  
Proposal: Remove 1No. Oak. Subject to A1 of TPO 1196.  
Application No: APP/19/01096                      Expiry Date: 30/12/2019  
Applicant: Mr J Lee  
Agent: Mr A Kaye                      Case Officer: Maria Stewart  
            Blendworth Tree Surgeons  
Ward: Waterloo

Recommendation: **REFUSE TPO CONSENT**

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**1     Site Description**

2B Royal Way, Waterlooville, PO7 8JE

**2     Planning History**

93/58231/000 - Demolition and rebuild of double garages to match existing  
- 300mm higher., PERM,  
07/58231/001 - Retention of fence (max. height 1.8m) fronting Tempest Avenue. ,  
PERM,25/07/2007  
APP/13/00878 - Tree works., UNK,  
APP/13/01081 - Remove two low limbs of 1No. Oak to north east sector; remove one  
limb of 1No. Oak in east sector; remove two lowest limbs of 1No. Oak; remove one  
low limb of 1No. Oak in east sector; all trees within A1 of TPO 1196.,  
PERM,03/12/2013  
APP/15/00699 - Tree Works., UNK,

**3     Proposal**

Remove 1No. Oak. Subject to A1 of TPO 1196.

**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 Gwen Robinson**

**Councillor Mike Sceal**

**Councillor Peter Wade**

## **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: 10

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

| <b>Comment</b> | <b>Officer Comment</b> |
|----------------|------------------------|
|                |                        |

## **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 an area Tree Preservation Order relates to the proposed felling of one mature Oak tree.

The Oak is located in the rear garden of the property, approximately 5m from the dwelling and stands adjacent to the northern western boundary and a paved footpath.

By virtue of its size and position the tree is considered to have significant public amenity value as part of the group of Oaks in the applicant's garden and neighbouring properties. It has a relatively compact canopy and it has been crown lifted to provide adequate clearance of gardens and property.

At the time of inspection no fungal fruiting bodies were visible and the tree appeared to be healthy and structurally sound. No information has been provided to suggest otherwise.

The reasons given for applying to fell the tree are:

- the tree has pushed the fence out of line and bending the fence post
- dropping excessive branches, acorns and leaves on neighbouring conservatory
- tree is situated over main drain and concerned the roots may ever the drain
- excessive shading to rear of property

The Arboricultural Officer comments that these reasons are not sufficient to justify the felling of this tree.

The fence could be re-aligned and repaired.

There is no evidence to suggest that the branches falling are anything other than small dead twigs.

While the tree may be in close proximity to the drain, there is no evidence provided to suggest any damage has or will occur.

Given the situation of the tree, it is unlikely to be causing excessive shade on the applicant's garden.

No objections to the application have been received.

## **8 Conclusion**

There is no arboricultural justification to permit the felling of this tree, therefore the application should be refused.

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## **9 RECOMMENDATION:**

That the Head of Neighbourhood Support be authorised to **REFUSE TPO CONSENT** for application APP/19/01096 subject to the following conditions

- 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. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.