
Site Address:	24 Cumberland Avenue, Emsworth, PO10 7UH		
Proposal:	Fell 1No.Oak tree subject to TPO 0088 within A4.		
Application No:	APP/17/01254	Expiry Date:	17/01/2018
Applicant:	Mrs E Hind		
Agent:	Mr M Russell	Case Officer:	Maria Stewart
	M Russell Tree Specialists		
Ward:	Emsworth		

Recommendation: **REFUSE TPO CONSENT**

1 Site Description

24 Cumberland Avenue, Emsworth, PO10 7UH

2 Planning History

01/66236/000 - Reduce branches to the southwest sector of the tree's crown and deadwood an Oak tree within the rear garden of 24 Cumberland Avenue subject to Area A4 of TPO 88., PERM,06/06/2001

3 Proposal

Fell 1No.Oak tree subject to TPO 0088 within A4.

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: 4

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 2 2

Comment	Officer Comment
Application /17/01254 - To fell Oak, rear of 24 Cumberland Ave, PO10 7UH This application to fell a TPO tree is made on the grounds of "Damage to fence, excessive shading, low amenity value," and possible damage to surrounding property for reasons unstated. There is no diagnostic evidence offered to suggest the presence of either disease or specific structural damage potential. The felling of this Oak would be detrimental to the character and appearance of the area; it is part of a grouping of oaks and other deciduous trees that are clearly an historic residual strip of Hollybank Wood, and as such form an important Green Corridor south to Southleigh Road. These trees, including the Oak in question, have status as public assets rather than liabilities. This continuous line of trees from Diana Close to Greville Green stand along a grassy banked footpath that is monitored by the Friends of Emsworth Waysides. This pleasant green walk way is of high amenity value to local residents, and clearly has biodiversity value as well. This particular Oak is unusual in that it is very slightly east of the main line of trees, and therefore just within the boundary of 24 Cumberland Ave. It is, nevertheless, an integral member of the tree line bordering the path, and is therefore the subject of a TPO. (photo emailed to M Stewart) Oaks are slow growing, long-lived trees, and offer an increasing wealth of microhabitats as they age. The crown	Comments noted.

of this particular oak has not developed as well as it might (probably due to overcrowding) but the tree is in good condition and should be allowed to fulfil its future life expectancy of 80 or so years, and so to develop its full contribution to future local townscape and local biodiversity.

The Oak in question is not showing signs of disease or infirmity. It does not appear to be damaging the fence (photo emailed to M Stewart). However, the fence is carrying dense ivy growth that could do with clearance.

As to the issue of shading, the tree is situated to the west of 24 Cumberland Ave and shading is unlikely to be a great inconvenience until evening.

As a final point in my objection I should like point out that replanting with a crab-apple or Acer in the same position is not an acceptable replacement: this should be of an appropriate size and species. Also, given the existence of well-established dominant trees along the footpath, a small replacement tree is very likely to struggle for sufficient light, headroom and water to flourish.

Malinda Griffin
Co-ordinator, Havant Borough Tree Wardens

I am writing to object to the application by the house owner Mrs Elaine Hind to fell an oak tree at 24 Cumberland Way Emsworth PO10 7UH

As stated on your own website

'Trees have an intrinsic appeal as landscape and cultural features. They also have a high biological and heritage value.

Under the Natural Environment and Rural Communities Act 2006 (NERC Act), Local Authorities have a duty to conserve biodiversity.

The considerate management of trees plays an important role in

Comments noted.

delivering this duty.'

We have concerns over the adverse effect that felling the tree would have to the biodiversity of the area. This tree is part of a valuable wildlife corridor from Hollybank Woods south, and is part of an important habitat for a variety of wildlife including bats. The retention of this tree will help to conserve the biodiversity in this area of Emsworth for many years to come.

The tree is a healthy, mid-life oak with good life expectancy of many more hundreds of years. Its importance and amenity value as part of the townscape, will increase as the oak matures in future years.

I urge you to consider these points carefully and reject the application for felling in order to maintain the corridor of trees in this part of Emsworth

7 Planning Considerations

- 7.1 This application to carry out work to a Tree Protected by a Tree Preservation Order relates to the proposed felling of one Oak tree located in the garden of the property which is laid to paving. The tree sits within a raised brick flower bed.

The tree forms part of a row of large mature Oaks along the boundary of Cumberland Avenue and the open space to west of the property. This tree is at the end of the row, with a one sided canopy to the south due to it being suppressed by the neighbouring Oak. It was noted that there were a number of dead branches within the canopy however it had good bud formation similar to the neighbouring trees.

No diagnostic evidence has been submitted to suggest the tree is diseased or compromised structurally and nothing was noted on site. The reasons given for felling the tree are damage to the fence, excessive shading and low amenity value. Damage to a fence does not warrant the felling of a protected tree and the tree has significant public amenity value when viewed from the surrounding roads, not just Cumberland Avenue. The removal of this one tree will not remove the shading issue due to the number of other Oaks along the boundary.

Removal of the dead wood and some targeted pruning on the limbs over the open space is considered to be a more appropriate course of action and would reduce the weight of those branches. This would require a fresh application to be submitted.

8 Conclusion

Refusal

9 RECOMMENDATION:

That the Head of Neighbourhood Support be authorised to **REFUSE TPO CONSENT** for application APP/17/01254 for the following reasons

- 1 The Oak tree is a significant specimen in the local landscape and its removal would result in a loss of public amenity. No diagnostic information has been supplied with the application to demonstrate that the tree is structurally compromised or diseased. It was noted that there is dead wood in the canopy which can be removed at any time and it is considered that targeted pruning of some of the branches would be more appropriate in order to maintain this tree in its location. A fresh application would need to be submitted for this work.