

Recommendation: **REFUSE TPO CONSENT**

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: 6

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
It is less than two years since this tree was reduced by 2 metres on the northern side. Reducing it by a further 2 metres on the same side is totally unwarranted as it will further destabilise the tree. Will there be another application in two years time? How long will it be before the tree reaches ground zero? This is death of a healthy and beautiful tree by stealth!	Noted - Application is recommended for refusal.
We are writing to express our objection to the above planning application, made by Mr A. Bloor. This planning application requires significant reduction of an English Oak, which is the subject of a Tree Preservation Order (TPO 1724). Our objection is based on the following grounds: 1. As owners of 24 Durley Avenue, and by definition, therefore, owners of the tree in question, we do not require any reduction in the size of this tree, and will not permit any work of this nature to be undertaken on any part of our property. Indeed, we will actively seek the prosecution for trespass and criminal damage of anyone entering upon our property in order to carry out any work on this tree, not authorised by ourselves. The information provided by Mr Bloor as to the tree's ownership is incorrect. Also incorrect is his drawing indicating the location of the tree. Mr Bloor has not, and has never been, granted access to our garden at 24 Durley Avenue, therefore any idea he has as to the location of the tree is conjecture and clearly intended to add weight to his application. We have	Noted - Application is recommended for refusal.

documentary evidence dating from prior to the construction of houses in Summerhill Road, to prove ownership of the tree.

2. The tree in question is a magnificent healthy oak. Crown reduction is unnecessary, as the tree, including canopy, does not impinge upon any building. Crown reduction would also change the character of the tree, and impact upon its aesthetic appeal.

Partial reduction to the Northern aspect would have significant adverse aesthetic impact upon the tree.

3. It has only been 2 years since Mr Bloor previously applied to remove 2m of growth on the North side. This application was granted. Since this work was carried out the tree has grown very little and certainly nowhere near 2 metres. Mr Bloor has stated to us that he wishes to reduce the size of the tree in order to allow more light onto his patio. Should this indeed be his desired intention, then it is not logical to continually seek to cut back one sector of the tree, as this will thicken the canopy in that area.

Consequently, we believe that his continued submission of applications to remove growth from our tree is being done with the intention of unbalancing the tree in small steps in the hope that the HBC Planning Department may in future accept a much larger size reduction due to the tree becoming unsafe.

4. Should the current application in respect of the Northern sector be granted, we strongly urge and request that a qualified representative of Havant Borough Council is present on site throughout the work in order to ensure that the terms of the approval are entirely and completely complied with. We unfortunately have to make this request due to an incident occurring when work was previously being undertaken on the tree.

5. The English Oak tree in the upper part of Durley Avenue which was also subject to a TPO, has in recent years been felled. An Oak tree located to the rear of 30 Durley Avenue has recently

been the subject of a severe reduction, which has entirely ruined the aesthetic appeal of the tree, and has radically affected its environmental benefit for at least the immediate future. The tree located at 24 Durley Avenue is the last virgin Oak tree in the upper part of Durley Avenue and it is consequently increasingly important for the tree to remain undisturbed in order to maintain its importance to the local ecosystem.	

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 The subject of this application is a mature Oak tree that is found on the boundary line between two adjoining rear gardens within the Waterloooville area. The tree possesses some views from the street scene above and between the neighbouring dwellings, therefore the tree possesses a high amenity value and contributes well to the tree cover in the area.

The crown extends over the garden and over the boundary lines to neighbouring garden. The tree has a slight eastern bias over a neighbouring garden. There are signs of relatively recent management within it's canopy and there is the presence of a small amount deadwood, however the tree is displaying what appears normal in vigour and vitality.

Since the tree's last maintenance, there has been minimal regrowth from the previous pruning points. Therefore the proposed works to crown reduce the tree by 2m and a further height reduction on the northern sector by 2m is considered unnecessary since the crown is in relatively good order and these works would result in the crown possessing poor form. This would have a detrimental impact on the amenity value that the tree contributes to the street scene and the proposed works would leave wounds at unsuitable growth points, which would cause detriment to the overall health of the tree.

8 **Conclusion**

Recommend Refusal

9 **RECOMMENDATION:**

That the Head of Neighbourhood Support be authorised to **REFUSE TPO
CONSENT** for application APP/17/00474

(A)

(B) for the following reasons/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. The tree surgery proposed in the deposited application would result in excessive reduction of the tree's landscape impact and undue 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 2012.