

Site Address: 125 Brook Gardens, Emsworth, PO10 7LL
 Proposal: Crown reduce by 2m northern sector 1No.Oak (T6); crown reduce by 2m to northern and eastern sectors 1No.Oak (T7), subject to TPO 1076.
 Application No: APP/17/00544 Expiry Date: 12/07/2017
 Applicant: Mr T Davies
 Agent: Case Officer: Jamie Gargett
 Ward: Emsworth

1 Site Description

2 Planning History

3 Proposal

4 Policy Considerations

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: 20

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
<p>After discussion with the local Tree Warden Group I have been asked to submit the following representation: The application has been made in regard of oak trees at 125 Brook Gardens by the next-door resident of 127 Brook Gardens in order to reduce overhang to the rear part of his own garden at no 127 and to 'avoid further debris falling from the tree near the childrens' play area.' This application to permit significant surgery to these oaks trees should be refused on the following grounds:</p> <p>The two oaks trees are vigorous and vital specimens. There is no basis for surgery on the grounds of disease or likelihood of breakages. Neither is there any evidence submitted suggesting the trees are causing any structural damage. It seems that the only grounds cited for surgery is "debris", and shading of a part of the garden of no 127; since the house lies east/west facing, the garden will be shaded until approx midday by the house itself, and the shade then given a part of the garden might be considered an asset</p>	<p>The works applied for were considered excessive and as such negotiations between HBC Arb and the applicant resulted in reasonable tree management being agreed on and as such permission is recommended.</p> <p>It is important to note that reasonable management of trees within the urban environment is often required to allow a harmonious relationship between people and trees.</p>

<p>in mid-summer. The trees are approx 60 feet tall, and a conspicuous feature from many public vantage points along Brook Gardens and from Barn Close. They are an important asset in a street scene of fairly uniform 1980s 2 storey semi-detached houses. They provide a significant positive contribution to the character and appearance of the wider area. The proposed crown reduction would spoil the natural shape of the trees and cause a negative impact to visual amenity. Oak trees T6 and T7 are situated approximately mid way on the rear boundary of no 125 Brook Gardens. As a result, their combined canopies extend over the boundary fence to only approx midway of the rear of the garden at no 127. As such, shading and falling material from the trees affect only a limited area of the rear of the garden at no 127. Crown reduction on the western sector will leave the canopies of both trees lop-sided, and on the scale proposed would leave the canopies of both trees looking bare. If the issue of tree debris (leaves, twigs etc) falling near a back garden play area is deemed particularly hazardous, it must be considered that repeat crown reduction would be needed every 4-5 years as re-growth is made from the cut surfaces. This will result in further expense, and further damage to the amenity value of these oaks. It is also important that information regarding the likely importance of these trees to local bat populations should be sought before any decision is made.</p>	
<p>I have now heard back from the Hampshire Bat Group and would like add the following regarding App/17/00544 for consideration: Local bat distribution records show that the west Emsworth area has active communities of common pipistrelle, soprano pipistrelle, brown long-eared, Daubenton's, noctule, serotine bats, and one record of a Brandt's bat. The two fine Oak trees in question are some of the few remainders of what were presumably the original tree lines in field boundaries and could be</p>	<p>The Wildlife and Countryside Act is set up to protect bats and any works undertaken to the trees will be required to meet these regulations</p>

ecologically significant. It is difficult to see from the street if there are any ecologically useful sections of dead wood and cavities. It is suggested that the HBC Arboriculturist makes an inspection of the trees to assess this and to establish the important visual contribution they make to the locality. Attention is also drawn in Hampshire Bat Group's response that the application is to reduce the canopy on certain sides only. While there is scant justification for surgery to such fine trees and that what is proposed will make the trees lop-sided, it may be that this surgery, (if carefully monitored), might ensure house occupants continue to live with these trees without more drastic action and resultant negative impact on local street scene and potentially on local ecosystems.

[illegible]

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 application relates to two mature Oaks trees that are located within the rear curtilage of a property in Brook Gardens, Emsworth. The main stem of each tree is located close to the western, rear boundary line that adjoins other residential back gardens. The trees have minimal views from the immediate street scene, with only passing glimpses between the close set dwellings. However, their crowns can be viewed with ease further down the road on the corner of the street where there is a break in the buildings. Therefore they possess some amenity value and contribute well to the tree cover in the area.

The trees were inspected from outside the property due to restricted access and therefore each tree's base could not be inspected to assess their condition. Both Oaks are single stemmed specimens and there are signs of previous pruning works within their canopy as well as possessing some amount of deadwood, however the trees are displaying what appears to be normal in vigour and vitality. The main stem of the northern Oak is leaning heavily to the north with an unbalanced canopy.

The original proposal included a 3m reduction to the north sector of the northern Oak and a 3m reduction to the north and east sectors of the southern Oak. The reductions would have been considered excessive, resulting in large diameter wounds made at inappropriate growth points. Lesser works were negotiated for 2m crown reductions on these sectors, which will provide a sensible level of cyclical management and will achieve the stated objective of reducing the amount of falling debris on to the gardens below. This will reduce any shading nuisance without unbalancing the canopies and without causing detriment to the overall health of the trees or the visual amenity they possess.

8 **Conclusion**

Recommend Permission

9 **RECOMMENDATION:**

That the Head of Neighbourhood Support be authorised to **GRANT TPO CONSENT** for application APP/17/00544

(A)

(B) for the following reasons/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 pruning/surgery for which consent is hereby granted shall not exceed the following: Crown reduce by 2m northern sector 1No.Oak (T6); crown reduce by 2m to northern and eastern sectors 1No.Oak (T7), subject to TPO 1076.

Reason: To safeguard the health and well being of the trees and their importance in the local landscape.

- 3 The tree works for which consent is hereby granted shall be carried out and completed no later than 12/07/18.

Reason: To control the timing of the works.