
Site Address: Land Adjacent Play Area, Wren Grove, Havant PO9 5FL
Proposal: 1No. Turkey Oak - Pollard to retain the structure of the tree ((marked T3) within G1 of TPO 1928) so that it is safe but seeking to provide a biodiversity habitat and cultural reference point
Application Type: Works to TPO Tree
Application No: APP/23/00800 Expiry Date: 19/12/2023
Applicant: Mr Iain Rafferty
Bellway Homes
Agent: Case Officer: Tree Officer
Ward: St Faiths

Recommendation: **GRANT TPO CONSENT**

1 Site Description

Land Adjacent Play Area, Wren Grove, Havant PO9 5FL

2 Planning History

APP/15/01435 - Outline application for residential development (175 dwellings) with associated infrastructure.(01.12.16). Request to discharge condition No. 4,6,10,11,12 and 13 (22.01.19). Request to discharge conditions 5, 7, 8 and 16. Request to Discharge Condition No's 14 & 15 (10.04.19). Request to Discharge Conditions 16 & 18 (03.12.19). Request to Discharge Condition No. 16 (26.02.21)., PERM,01/12/2016
GEN/17/01153 - Draft layout for reserved matters., ,23/11/2017 15:49:08
GEN/17/01383 - Copy docs: Planning Permission APP/10/00505, ,27/11/2017 10:21:20

APP/18/00453 - Reserved matters application following outline permission APP/15/01435 to layout, scale, appearance and landscaping for 175No. dwellings (including 53 affordable homes) comprising 5 x 1 bed flats, 18 x 2 bed flats, 28 x 2 bed houses, 84 x 3 bed houses and 40 x 4 bed houses; play area and public spaces, roads, footways, cycleway, and drainage features.(14.12.18). Request to discharge condition No.2 (05.02.19).Request to discharge condition No.3 (30.07.19). Request to discharge Conditions 11 and 12 (26.09.19). Request to Discharge Conditions 5 & 7 (03.12.19)., PERM,14/12/2018

APP/18/00565 - Formation of access road from Bartons Road to residential development site., PERM,31/01/2019

APP/19/00151 - Variation of S106 Agreement., PERM,20/12/2019

APP/19/00393 - DOC External Materials Schedule PDF and 17300 - P103D (Building Materials Layout) PDF, UNK,

APP/19/00552 - Single storey rear extension and roof alterations for dormer/loft conversion., PERM,08/08/2019

GEN/19/00685 - Regulation 5 notification for installation of fixed-line broadband apparatus - 2 x 9m pole (7.3m above ground)., ,28/08/2019 11:40:37

GEN/19/00859 - Installation of 2No. 9m wooden poles (7.3m above ground) , ,20/11/2019 11:46:29

APP/19/01192 - Condition 16. Boundary Materials Layout Condition 18. Street Lighting drawings Condition 5 - Bin & Bike Storage drawings. Condition 7 - S278 Japonica Way Link General Arrangements drawing., UNK,

APP/20/00080 - 1No. Cedar - remove no more than 2-3m off the southern side lower branches to give clearance of property (Helmsley House), subject to TPO 0853., PERM,01/04/2020

GEN/20/00227 - Proposed 64 bed care home , ,28/05/2020 13:38:16

APP/20/00003/TP1 - , UNK,22/07/2020

APP/21/00168 - Reduce overhang on 1No. Goat Willow (T1) by 3m back to boundary. Tree within Group G2, subject to TPO 1928., PERM,08/04/2021

GEN/21/00321 - Proposed conversion of garage to office space, ,01/04/2021 13:23:15

GEN/21/00376 - Confirmation that all financial obligations have been met in relation to agreement made 7th October 1992., ,

GEN/21/00499 - Proposed conversion of garage into office space., ,24/05/2021 11:37:33

GEN/21/00727 - photovoltaic panels, ,16/07/2021 13:03:05

GEN/21/00873 - Conditions 4 and 15 of APP/16/01077 known as Plot 9 Eastleigh Mews- response needed , ,16/08/2021

GEN/21/00874 - COPY DOCS - S106 re APP/16/01077 plot 8 S106 re APP/15/01103 affordable housing/mitigation strategy, ,22/09/2021

GEN/22/00025 - Copy docs: Variation of Section 106 Agreement., ,22/02/2022

GEN/22/00286 - Copy Doc's: Tree Preservation Order No 2105 made by Havant Borough Council on 12/06/2020 under Section 198 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 Town and Country Planning Act 1990, in respect of 4 Oak Trees (T1, T2, T3, T4) within the curtilage of Helmsley House, Barton Road, Havant). , ,29/03/2022

APP/22/00456 - Loft conversion with rear dormer and external alterations including garage conversion, PERM,13/07/2022

GEN/22/00677 - Copydoc - Discharge of condition , ,14/09/2022

APP/22/00968 - discharge of condition APP/20/00761, UNK,24/10/2022

GEN/22/01152 - COPYDOCS - GEN/21/00873 Conditions 4 &15 of APP/16/01077 known as Plot 9 Eastleigh Mews see letter, ,17/01/2023

GEN/23/00248 - Copy docs - confirmation all conditions have been discharged on application APP/15/01435, ,12/04/2023

GEN/23/00327 - Proposed amendments to approved Dementia Care Home (APP/20/00761). , ,16/06/2023 17:41:50

GEN/23/00438 - Copy docs - planning permissions and S106 agreements. Also needs TPOs for this area ASAP , ,30/05/2023

APP/23/00442 - Install PVCu conservatory to the rear of the property., PERM,11/08/2023

GEN/23/00552 - Copy docs - TPOs and planning permission documents , ,27/06/2023

GEN/23/00703 - Compliance with conditions re construction of property - OA APP/15/01435 and RES APP/18/00453 (Bartons Road), ,30/08/2023 11:32:28

GEN/23/01106 - Copy Docs - Planning Permission, ,15/12/2023

APP/24/00109 - Works to multiple trees as per General Tree Assessment (Summary).

Subject to TPOs 1068, 1503, 1925, 2055, 2057, 2059, 2060, 2061, 2123

, ,

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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 Gillian Harris

Councillor Imogen Payter

Councillor Phil Munday - St Faiths

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: 16

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

[illegible]

We are the closest house to the 2 oak trees on the green so we lie in probably one of the most perilous positions should the tree succumb to its decay and self fall. However, the oak trees are defining features of our end of the estate, a huge selling point and may even compromise the value of our property in an already highly developed area where green and natural landmarks are diminishing.	The comments received are welcomed and reflected within the planning considerations.
Whilst we remain neutral I would like to ask that serious consideration to restoration of natural features (tree planting etc) can be installed in place of this beautiful big tree.	
I object to this as the TPO has been on for years the farmer grew crops around it. Has a bat survey been done? It is a valuable habitat for wildlife and it should not be felled if it is just to remove the need to sweep leaves up in the autumn. Is it diseased? There should be more respect for the flora and fauna in the area. I frequently hear chainsaw activity in the Gold Road area but this is the first planning application I have seen for tree felling in the Bellway site area. My garden backs onto the woodland buffer, we have swept leaves up from the garden for 23 years and also had to spend vast amounts with the tree	The comments received are welcomed and reflected within the planning considerations.

surgeon to get consent to trim the trees overhanging our garden. The buffer trees have a TPO on them apart from the hawthorn which is the only tree of any value.	

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 The report relates specifically to assessing the proposed works rather than generally inspecting the tree's health and condition in any great detail.

7.3 The application is to works to a mature oak tree (T3) in an area of open space, surrounded by residential properties to the north, south and east, with a small children's play area to the west. The streetscape has been designed so that the properties face onto the open space, and the tree, which forms part of a pair of mature oak trees (the other being referred to as T2) have a significant amenity value to the local area.

7.4 The supporting evidence explains the poor condition of T3 and provides a clear justification for its removal due to concerns of structural integrity and fungal infection.

7.5 The evidence submitted is welcomed and the authority would accept the tree should be made safe. In discussion with the owner the description has been amended to retain the tree but propose works to significantly pollard it. This would aim to make the tree safe, with continued monitoring needed alongside that of T2, but allow its dying form to be wildlife habitat and cultural reference point. The collaborative working with the owner is commended.

7.6 Whilst the submitted information concludes that no works are necessary at this point to T2, the owner is keen to ensure that the reduction to T3 does create issue to T2. It is recommended that once the works to T3 have been undertaken a further assessment is undertaken of T2 to determine the extent of any future works to reflect the cooperative nature that the trees canopies have formed over time and the authority would welcome a future application.

7.7 The proposed works would retain, albeit in a reduced form, the contribution of the tree to the amenity value of the area and would be in accordance with Policy CS11 and DM8 of the Core Strategy (2011).

8 **Conclusion**

It is recommended that the works to the tree should be granted consent subject to conditions.

9 **RECOMMENDATION:**

That the Executive Head of Place be authorised to **GRANT TPO CONSENT** for application APP/23/00800

(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 works for which consent is hereby granted shall be carried out and completed no later than one year from the date of this decision notice.
Reason: To control the timing of the works