

**From:** Pike Planning  
**Sent:** 16 August 2022 13:37  
**To:** Eaves, David  
**Subject:** Re: 11 East Street APP/21/00875

**CAUTION:** This email came from outside of the council - only open links and attachments that you're expecting.

Dear David

Thank you for the update on the outstanding conditions.

**Condition 4** - The applicant has been trying, without success so far, to contact Southern Water. Hopefully this matter will be resolved soon.

**Condition 9** - See attached. Please note the applicant has confirmed that none of the properties in North Street have permitted access or a right of way over this land. This has been confirmed by the applicant's solicitor.

**Condition 10** - See below from the arboricultural consultant. Hopefully this statement together with the revised landscape plan will enable this condition to be satisfied.

**This summary is informed by my onsite observations, having reviewed the pertinent planning consent (reference 20/00935), and your current landscape proposal plan (reference 21/103/LS01).**

1 – The bay bush to the rear of properties on East Street – appears to have established on poor quality ground that has been subject to past disturbance (see attached photograph ref IMG\_6578.jpg – noting the soil profile content). Although approximately 9 m in height it would be reasonable to consider the bay as a collective mass of vegetation as opposed to a clearly definable tree feature – and this is important in the context of the extant statutory obligations pertinent to trees within designated Conservation Areas. On review of the landscape plan (which indicates approximately seven stems for the bay bush within a canopy extent that is indicated across the garden boundaries of proposed plots 1 & 2), it is clear that a portion of the bay bush (to the west) has been removed to enable the construction works to date – which in my opinion is reasonable given the extant consent (accounting for planning permission superseding the conservation area notification process – in that the consented footprint could not be constructed with the bay bush in situ – notwithstanding Informative item 5 at the end of the decision notice).

2 – The remaining elements of the bay bush (see in the attached photo - IMG\_6578.jpg) are:

- clearly likely to conflict with construction requirements to progress the extant planning consent – specific to plots 1 & 2
- be unviable from an onward vitality and structural integrity perspective
- be unviable in terms of finished/completed ground levels shown on the landscape plan from the perspective of establishing a functional garden space for plots 1 & 2.

3 – There is scope to establish tree planting within the rear garden spaces of plots 1 & 2 as well as within the proposed open recreation space to the south of plot 1. Such planting will provide immediate enhancement to the visual amenity of this part of the scheme – both to future residents/occupants and to surrounding third parties – such as those within residential dwellings on East Street. It is suggested that a pleached feature (lime, beech or hornbeam) could be formed along the southern and eastern boundary of the plot 1 and continued along the eastern garden boundary of plot 2 – broadly across the area of ground currently occupied by the bay bush

stems. Whereas several individual specimen trees (of species such as Turkish hazel, sweet gum, maple, et al) could be planted within the communal open space providing an attractive and shaded space asset.

4 – Given the active time constraints arising from construction works and the active interaction with Havant Borough council (specifically Mr David Eaves – from our discussions), in respect to discharging planning conditions – it is my advice that you indicate to the council your intention to remove the bay bush for the reasons set out above and that an updated landscape plan be submitted to the council for discharging condition 9 of the consent – this plan to include specific provision for new tree planting to the rear of plots 1 & 2, as well as the adjacent open space. I would hope that this will enable the council to understand and appreciate the current situation and provide them with the comfort that there will be an overall gain of landscape asset at the site (which in itself should be seen as aligning to the intention and purpose of the conservation area designation. Ultimately I cannot see that there would be a sustainable position from which the council could seek to pursue the retention of the bay bush – it is certainly not a feature that could be viably retained via the imposition of a tree preservation order (which is the normal response that a council would progress in the event of seeking to retain a tree for which they were notified by the tree owner of an intention to remove – NB – notwithstanding that in this instance it is my opinion that the existing bay bush should not reasonably be considered as a tree item notifiable for works within a conservation area).



**Phil Brophy**



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**Conditions 15 & 16 - Details to follow.**

Kind regards, John

John Pike MRTPI IHBC

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