

Recommendation: **REFUSE TPO CONSENT**

APP/10/00980 - Crown reduce by 30% 2No. Sycamore trees. Prune clear of lamp and reduce secondary leader at 4m (east side) 1No. Oak tree. Prune 2m clear of church wall 1No. Yew tree. Prune clear of monuments 1No. Yew tree. All subject to

TPO 0496. , PERM,21/01/2011

APP/10/00988 - Crown raise to 2m 1No. Birch tree. Crown raise to 2.5m 1No. Sycamore tree. Crown raise to 2.5m 1No. Cherry tree. Prune clear of monuments 1No. Yew tree. All within Old Bedhampton Conservation Area. , RNO,21/02/2011

APP/12/00709 - Remove 1No. 100mm lateral on east side of 1No. Oak (T10) subject to TPO 0496., PERM,09/11/2012

APP/12/00741 - Remove 8No. 800mm laterals on east side of 1No. Sycamore; remove 6No. 100mm laterals on east side of 1No. Cherry; crown raise to 4m on east side of 1No. Cherry; all within Old Bedhampton Conservation Area., RNO,24/08/2012

GEN/13/00226 - Proposed replacement and re-siting of notice board, UNK,

APP/14/00395 - Crown reduce 1No. Sycamore to previous pruning points, and remove 200mm of primary limb at 1.8m east side of 1No. Cherry. Both trees located within Old Bedhampton Conservation Area., RNO,19/05/2014

APP/15/01086 - Fell 1 No. Sycamore (T13) subject to TPO 0496., WD,22/10/2015

APP/17/01332 - Remove badly damaged primary stem on 1no. Cherry tree within Conservation Area Old Bedhampton., RNO,24/01/2018

APP/17/01335 - Remove 3No. 150mm limbs on southern sector of 1No. Yew tree, subject to TPO 0496., PERM,25/01/2018

APP/18/00866 - Reduce crown 1No Yew (T12) tree to north by 1.5 metres, to south by 3.5 metres, to east by 3 metres and to west by 3.5 metres. Reduce crown 1No Sycamore (T13) to north by 2 metres, to south by 2 metres, to east by 5 metres, to west by 3 metres and height by 3 metres; raise crown to 5 metres. Reduce crown 1No Sycamore (T14) to north by 2 metres, to south by 3.5 metres, to east by 3 metres, to west by 2 metres and height by 3 metres; raise crown to 3.5 metres. All trees subject to TPO 0496., PERM,02/10/2018

APP/22/00806 - 1No Yew (T12) reduce lowest limb on south side of tree over road by approximately 500mm, leaving approximately 5 metres remaining. Tree subject to TPO 0496., PERM,31/10/2022

APP/22/00813 - 1No Yew (T9) lift canopy to 1.5 metres above ground level within Conservation Area of Old Bedhampton., RNO,31/10/2022

3 Proposal

Fell 1No. multi stemmed Sycamore (T13) and 1No. Sycamore (T14). Subject to TPO 0496.

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: Old Bedhampton

5 Statutory and Non Statutory Consultations

Conservation Officer

Councillor D Guest

Councillor Liz Fairhurst - Bedhampton

Councillor Phillipa Gray

Landscape Team, Havant Borough Council

No landscape objection.

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: 10

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Much emphasis is placed on "amenity value" that is referred to in article 3.2 of the national "Tree Preservation Orders: A Guide to the Law and Good Practice". Havant Borough Council (HBC), as the Local Planning Authority (LPA) must define what "amenity value" is. It may help towards a greater understanding by the general public if an explanation of how our LPA defines "amenity value" relating to protected trees and publish via their website. These two trees (T13 & T14), I suggest do not provide any amenity value; quite the opposite! They are very costly to	Standard guidance on how LPA's should consider 'amenity' is provided in Tree Preservation Orders and trees in conservation areas (available to view on .gov website). There is a cost associated with tree management but this is not in itself justification to fell a tree. – Yew is a highly shade-tolerant species. – Whilst this is unpleasant, this is a problem caused by pigeons rather than the tree. – It is accepted that sycamores

the HBC Arborist who has repeatedly had to pay, [amount redacted], to have them trimmed owing to their rapid growth and their overpowering "umbrellas" denying essential sunlight to the traditional Yew trees that are historically associated with any church curtilage. I have written to HBC's Heritage Officer, dated 14th November 2023 seeking a definition of "amenity value", but received no reply. I will apply under the Freedom of Information Act to obtain the answers to the questions I previously posed. The pigeon excrement falling from T13 is particularly heavy and virtually smothers a Commonwealth War Grave - a young soldier who fell during the closing days of WW1. The spread of the branches also facilitate the pigeons targetting the headstones which have to be regularly cleaned by relatives and friends of the sadly departed. Additionally, the abundance of seedlings that take root with alarming speed also requiring diligent and repeated weeding. With T13 being so close to an adjacent property, it provides a "rat run" for these pests to jump from the overhanging branches onto the roof of the house, enabling them to try and gain access to the roof space. Given these negative outputs from a self seeded, 3 stem tree with an overpowering umbrella, the perceived amenity value will surely fall to a minus! A replacement national disiduous tree, such as an Oak, Beech or Birch would seem more appropriate. It may be of interest to note that there are over 12 mature Sycamore trees within 2 properties that are immediately adjacent to St Thomas' Church. I overwhemingly support the felling of these two Sycamores listed under TPOs' T13 & T14.	are prolific seeders but this is a minor issue which can be resolved by routine weeding. - Selective pruning to provide a suitable clearance from the building would prevent this, without requiring felling. - Any of these trees will causes similar issues to those mentioned above.

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 sycamores are protected by TPO and stand within the Old Bedhampton Conservation Area. Although clearly of secondary importance to the ancient yews within the same churchyard, one of the trees finds itself on the front cover of the Conservation Area appraisal all the same. Tree subject to TPO are noted within the Appraisal as "Character Features" and in the context of the churchyard, "*reinforcing the sense of rural settlement*". Loss of trees within the public domain is noted as an "issue"

7.4 The application sycamore (T13) comprises of three stems growing from just above ground level. This measures approximately 20m tall with stems measuring in the region of 50-60cm dbh. There is a cavity measuring approx. 30cm diameter on the southern-most stem. This is only partially occluded and with exposed, decaying ripewood. The tree has been reduced at two heights, with approx. 4-5m of regrowth. There is a house to the west.

7.5 The application sycamore (T14) is located nearer the road is a single-stemmed tree measuring approx. 16m tall x 60cm dbh. It has a long-established, naturally adopted lean to the south. It has previously been reduced at two heights, with overall regrowth to around 6m beyond the inner reduction height. The tree is partially growing over an early-mature yew, itself leaning in a similar direction.

7.6 The application seeks to fell both trees. The applicant states several reasons for this, including the non-native heritage of the species, lack of rarity, issues with seedlings, the lean of the southern tree and their potential susceptibility to drought.

7.7 Sycamore is naturalised, rather than native. This means that they are relatively recent introductions but which have been able to survive and spread by themselves. Whether a tree is native, non-native or naturalised is not in itself a reason to make or not make a TPO. Similarly, there is no requirement for a tree to be rare. Regardless, the Council has already assessed the trees as justifying protection by TPO and this is further reinforced by various comments within the Conservation Area Appraisal (noted in the opening paragraph).

7.8 Sycamores are known for prolific seed-fall and there is a burden on tree owners, and indeed their neighbours, to pick these out of cultivated areas as they germinate. This burden is outweighed by the overall public benefit of the trees.

7.9 The southern tree has a historic, naturally adopted lean. The applicant does not provide any expert opinion on why this lean may be significant. It should be noted that trees grow in a range of forms which reflect their growing conditions over time. As such, not all trees will grow with a perfectly straight stem and symmetric crown. Whilst the form may not be as pleasing as a hypothetical perfect specimen, it still functions as a tree should.

7.10 The applicant also states future drought as a reason to fell the trees; pre-emptive felling of trees in case they suffer from drought at an unspecified time in the future is not good arboricultural management.

8 Conclusion

It is recommended that the works to the tree should be refused consent.

9 RECOMMENDATION:

That the Executive Head of Place be authorised to **REFUSE TPO CONSENT** for application APP/24/00057

(A)

(B) for the following reasons/subject to the following conditions

- 1 The trees are significant features in the local landscape and appear to be in adequately sound and healthy condition. Their proposed felling would result in undue loss and 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.