
Site Address: 11 Kingsey Avenue, Emsworth, PO10 7HP
Proposal: Fell 1No Common Oak (T1). Subject to TPO 1395.
Application Type: Works to TPO Tree
Application No: APP/22/00858 Expiry Date: 27/10/2022
Applicant: Mr Hynes
Agent: Mr Lower Case Officer: Tom Gregory
Fallen&Found Arboriculture
Ltd
Ward: Emsworth

Recommendation: **GRANT TPO CONSENT**

1 Site Description

11 Kingsey Avenue, Emsworth, PO10 7HP

2 Planning History

08/73295/000 - Alteration to extend garage to the south, and provide a room above.

Accessed by a frosted glazed link door from first floor., PERM,08/10/2008

GEN/11/01124 - Proposed rear extension., ,19/08/2011 14:05:54

APP/13/00088 - First floor rear extension., PERM,26/03/2013

APP/13/00224 - Crown reduce 1No. Oak (T1) by 2m from top, north, south and west sectors and 2.5m from east sector to original points remove dead, crossing and epicormic branches; subject to TPO 1395., PERM,26/04/2013

GEN/20/00926 - Remove deadwood on 1No. Oak TPO 1395 - 13/01/21., ,09/11/2020

GEN/21/00734 - DD Oak tree., ,02/07/2021

3 Proposal

Fell 1No Common Oak (T1). Subject to TPO 1395.

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 Julie Thain-Smith

Councillor Lulu Bowerman

Councillor R Kennett

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: 24

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
As a close neighbour to this property and an Emsworth Tree warden, I would like to object to the plan to fell this oak tree. It is easily visible from our house and many others and forms part of what used to be a prominent and impressive line of trees dividing the gardens of Kingsey Avenue and Kings Road with those of Clovelly road. Sadly many have been lost in recent years, as have several trees neighbouring the one in question due to the development of 4 new homes in the grounds of 34 Havant Road. We know from 25 years of personal observation that these trees have provided homes and roosts for tawny owls, green and greater spotted woodpeckers, bats, and many other birds, insects and mammals over the years. The decline in sightings has been notable.	Noted

Although this tree has been extensively lopped in the past, it still provides value as part of this wildlife corridor between the gardens, and still has potential to gain in health and vigour, and thus also appearance. We know from the result of arboricultural maintenance work on our own oak tree just a few gardens south, that with care a tree can regrow to be at least as strong and healthy as before. If the works recently undertaken behind the tree within the new development have affected its health, then this may only temporary and not enough time has elapsed to assess any recovery from this.

I am, of course, postulating as there have been no documents posted to give any valid reason for the tree to be felled. However, I note with interest that the agent named on this planning submission is the same tree surgeon employed by the developers of 34 Havant Road and indeed this is also listed as the company address.

Therefore I cannot help but think there may be a link. It is of note that this development had extensive tree works agreed, and a replanting scheme was agreed, then amended.

Our neighbouring county West Sussex insist upon the replacement of any felled established tree with two smaller ones, as part of the government commitment to increase tree cover countrywide. One only needs to look at aerial photos of Emsworth to see that tree cover is falling, and this can be seen clearly in this particular area.

Ideally I believe the tree should not be felled, but nurtured and cared for to allow its full potential as a valuable part of the neighbourhood landscape and ecosystem. If the applicant can provide a valid reason for it to be felled, eg safety, then I would propose that a condition be applied of two replacement trees to be agreed with the planners or local tree officer. Emsworth Tree wardens would be happy to help with choosing these, and there are many other local sources of advice and help.

Please can someone explain why this is listed as a valid application but no documents are available to view. It seems to have been accepted 22 September and the closing date for comments is 31st October. I have marked my stance as neutral because I do not know all the details but would be strongly against the felling of one of these special trees unless absolutely necessary.	Noted
---	-------

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 tree in question makes a positive contribution to local amenity. Reasons provided for its removal relate to its health and structural integrity being compromised. A detailed diagnostic report has been submitted in support of the proposals. Whilst sufficiently justified, the loss of this tree will have a negative impact on local amenity..

8 Conclusion

Permit

9 **RECOMMENDATION:**

That the Head of Neighbourhood Support be authorised to **GRANT TPO CONSENT** for application APP/22/00858 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 In the first planting season following the date of felling; 1 replacement tree is planted. The tree should be a minimum 1.5 metres tall at the time of planting and should comply with BS3936:Part 1:1992. It should be planted at or near the site of the existing tree. It should also be selected from the following species:

1. Medium sized native species

or such other size, species, location or period of time as may be agreed in writing with the Council.

If within a period of three years any tree planted as a replacement is cut down, felled, uprooted, removed, or die, or becomes in the opinion of the Council seriously damaged or defective:

- a) the Council shall be notified as soon as is reasonably practicable; and
- b) another tree of the same species and size shall be planted in the same location at a time agreed in writing with the Council unless the Council agrees to dispense with or vary the requirement.

Reason: To conserve and safeguard the visual amenities of the locality.

- 3 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.