
Site Address:	Land adjacent to 30 Riders Lane, Havant, PO9 4QJ		
Proposal:	Fell 1No. Oak (T3) subject to TPO 0155.		
Application No:	APP/16/00201	Expiry Date:	27/04/2016
Applicant:	Mr P Gilbert		
Agent:	Mr M Anderson	Case Officer:	Jamie Gargett
Ward:	Warren Park		

Recommendation: **REFUSE TPO CONSENT**

1 Site Description

Land adjacent to 30 Riders Lane, Havant, PO9 4QJ

2 Planning History

3 Proposal

Fell 1No. Oak (T3) subject to TPO 0155.

4 Policy Considerations

Havant Borough Local Plan (Core Strategy) March 2011

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

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: 2

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary: The tree seems to have become the home of a woodpecker and I think it needs to be taken into consideration that the tree is possibly hundreds of years old and was there long before the houses. To describe the ground as soft in the area is a little inaccurate and if it were to be taken down and another tree to replace it nearer the road,

how would Southern Housing guarantee that it would not be vandalised? There is probably as much tree underground as there is above ground and this may indicate that it is stronger than it would appear. If Southern Housing own the tree and presumably have done for the last 30 years why has it not been cared for during this time by a good tree surgeon so that this situation would not have occurred?

Comment: 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:

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. However on this occasion a second opinion was gained from the second Arboricultural Officer as to the condition of the tree.

The tree at subject of this application is a mature oak located on grass land adjacent to a residential dwelling. The tree appeared to be showing normal vigour and vitality in relation to its age.

The reasons given in this application would not justify the felling of this tree.

The Oak has an historical lean towards the dwelling and will have exhibited this growth pattern from early in its life; the ground around the base of the tree is considered normal rather than soft and no soil placidity index has been provided for this application.

The woodpecker hole in the main stem has been probed and does not extend into the tree to raise concern as to the stability of the tree. The deadwood noted throughout its crown is considered a normal feature of most Oaks of this age and can be resolved with via DD exemption and removed where necessary.

The tree is an ancient and important feature the area within Leigh Park and its removal would damage the amenity value of the area. Should the applicant wish to fell this tree then further investigation should be undertaken to provide sound arboricultural reasoning for its removal. The applicant was emailed and offered an opportunity to provide this but has not responded.

8 Conclusion

Recommend refusal.

9 RECOMMENDATION:

That the Head of Neighbourhood Support be authorised to **REFUSE TPO CONSENT** for application APP/16/00201

(A)

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

- 1 The tree is a significant feature in the local landscape and appears to be in adequately sound and healthy condition. Its proposed felling would result in undue loss and detriment to the visual amenities of the locality. [A more appropriate course of action would be through management of the tree's size and impact through a scheme of approved surgery.] It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.