
Site Address:	71 Elm Close Estate, Hayling Island, PO11 9AU		
Proposal:	Fell 1No. Pine (T2), subject to TPO 1542.		
Application No:	APP/15/00559	Expiry Date:	16/07/2015
Applicant:	C/O Agent	Team:	Team 2
Agent:	Mr Steve Wilson	Case Officer:	Jamie Gargett
	All Seasons Tree Surgeons		
Ward:	Hayling West		

Recommendation: **GRANT TPO CONSENT**

1 Site Description

Rear garden to a single story rear dwelling.

2 Planning History

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3 Proposal

Fell 1No Pine (t2) subject to TPO 1542

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

Site visit and discussion with Andrew Skeet (HBC parks and Open Spaces Arborist) - Agrees with recommendation to fell the tree. Monterey Pine (T2) Subject of TPO 1542.

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: 7

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 5

Summary: I completely support the above application. This tree has long been a cause for concern for myself and my immediate neighbours as it completely dominates our gardens greatly reducing our ability to enjoy them. This tree is far too large for the position it is in. It is not a native species and we find it hard to understand why a TPO was placed on it. There is in my opinion a possibility of damage to the main sewer which runs near to the property and the damage that would be caused if this tree should blow over, as this type of tree is prone to, would be quite great. This tree causes a great deal of problems to blocked guttering in the area and it must be horrendous living with such a large tree being so close to the owners house.

Comment: Noted. However there is no evidence that the tree is causing damage to the main sewer. No evidence has been provided to substantiate this opinion.

Summary: I think permission should not be given. This tree has been here for as long as I have lived on the estate (26 years) and, given its size, was probably here for many years prior to that. To my knowledge it has been regularly tended and checked for unsafe branches and was pruned in 2014 if my memory serves me correctly, which I presume the council have records of.

According to the application it does not appear to be diseased, and there is no expert evidence supplied to suggest it is causing any structural or other damage. I don't see that it being a non native tree is relevant, and I would imagine that it has a preservation order on it because it is the home to many forms of wildlife including, I presume, the bats I find in my garden. Could it not be further pruned, to satisfy all concerned?

Comments: The tree has previously been pruned and this alleviated some of the concern over branches being in very close proximity to the dwelling.

The tree does not appear to be showing signs of decay or disease. The TOP was not placed on the tree due to the wild life that may be present as this not a consideration when making a TPO.

Further reduction the canopy would not alleviate the concern regarding the stability of the tree now that the adjacent Pine in the garden was removed (this tree was previously providing shelter from the NW wind). The tree is now open to winds coming in from the north Western aspect and is heavily weighted in this direction and leaning to the South East.

Should there be evidence of bats living in the tree, then The Wildlife and Countryside Act covers their protection. Any the tree surgeon undertaking works should take advice from a qualified Ecologist on whether to proceed. These guidelines are issued with the decision notice that is received by the applicant.

Summary: I would like to agree my full agreement in the removal of the tree.

Comments: 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.

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.

The tree subject of this application is a large mature Monterey Pine exhibiting what appears to be normal vigour and vitality. The Pine offers high public amenity to the local area and is very visible in the street scene.

The application submitted is void of any technical interpretation of the tree's condition and is not accurate when stating that "these trees are prone to dropping massive boughs". Monterey Pines do not have this known feature over and above any other tree species. It is expected that the agent; in this instance a professional tree surgeon should be able to provide greater insight into the condition of the tree. However both Council Arbs have inspected the Pine (due to the importance of the trees viability and the loss of public amenity should it be removed) and have made the following observations and recommendations.

This tree has previously been the subject of an application to fell, however at that time cover in the form of an adjacent large Pine was present in the garden shielding the tree from exposure to North West winds. Since its loss due to extensive storm damage T2 has now been left in a highly exposed position.

The tree has a raised root plate, leans obtrusively and the canopy is heavily weighted towards the South Eastern aspect. The tree has a number of scaffold limbs that do not have overtly strong attachment points which 'may' have a potential for future failure in the tree's new exposed position.

The residents of 71 Elm Estate are an elderly couple who are forced to now sleep in the rear room which is under the canopy of the tree. They are extremely upset and concerned regarding their safety should the tree fail at some point. The residents have in the past twenty plus years successfully managed this tree.

While it is clear and without doubt that the Monterey Pine contributes well to the local street scene there are concerns regarding its potential for future failure for the following reasons:

- Exposure to the North West wind now that the adjacent tree is no longer in place.
- The Pine is leaning to the South Eastern aspect.
- The canopy of the tree is heavily weighted to the South East.
- The root plate of the Pine is raised.
- Residents are sleeping in a back room under the canopy of the tree due to access and circumstance.
- Should the tree fail the zone of impact is considered a high risk area, with the potential for loss of life.

Sadly in this instance the perceived risk combined with the concerns of the residents lead to a recommendation of permission to fell.

8 Conclusion

Recommend permission.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT TPO CONSENT** for application APP/15/00559

(A)

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

- 1 The tree to be felled shall be replaced by a Scots Pine to be planted in a position as near as practicable to the position of the tree to be felled and at a height of at least two metres when such replacement planting is carried out.
 Reason: To conserve and safeguard the visual amenities of the locality.