



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263
DX 50005 Havant

www.havant.gov.uk

To:
Mr Myers
Myers Tree Services
7 Bembridge Drive
Hayling Island
PO11 9LU

THE TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS
1999
Refusal of Consent

Application Number: APP/14/01114

Site Address: 29 St Catherines Road, Hayling Island, PO11 0HF

Proposed Tree Works: Fell 1No. Monterey Pine (T5) subject to TPO 1181.

Further to your application received on 27 October 2014 which was valid from 30 October 2014 Havant Borough Council, as Local Planning Authority, **Refuses Consent** for the above works.

The reason for the Council's decision to refuse consent is:

The works applied for are considered to be excessive when considering the management of this tree in its location and the reasons given for its removal. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

In coming to its decision the Council considered the plans and other documents submitted with regards to your application.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning (Trees) Regulations. It does not relate to any other application that may be required under the Town and Country Planning Acts, Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6015.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs
- (3) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and

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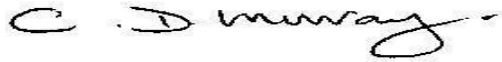
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- Your application was not acceptable but the following advice is offered:

The trunk shows no signs of decay or instability. It is purely the crown of the tree which reveals some defects in the way of dead wood and broken and hanging branches (east side over neighbours garden) - both of which can be remedied by simple removal and tidying under the standard dead/dangerous exemption clause of Tree Preservation order legislation (in which case you are advised to inform the Planning Authority's arborist in advance of any such works). The branch which has recently failed is some 150mm diameter and located in the mid crown area - inspection with binoculars revealed this to be an apparently healthy branch with no signs of fungal decay so there is no reason for it to fail other than in adverse weather conditions which can be managed by lesser works and is not considered to be sufficient justification for the removal of the entire tree.

- (4) The trees subject of this application have not been inspected for health and safety. They have purely been assessed with regards to impact that the proposed works may have on the amenity value/street scene of the area.



Mr Chris Murray
Service Manager (Planning Development)

09 December 2014