
Site Address:	Staunton Heights, 47 Dunsbury Way, Havant		
Proposal:	Fell 1No. Quercus Robur (T1) subject to TPO 0155.		
Application No:	APP/13/00741	Expiry Date:	03/10/2013
Applicant:	Mr S Rajchel	Team:	Team 2
	Guinness Hermitage		
Agent:		Case Officer:	Jamie Gargett
Ward:	Warren Park		

Recommendation: **REFUSE TPO CONSENT**

1 Site Description

The tree is located adjacent to a car parking area within the curtilage of a residential building.

2 Planning History

None

3 Proposal

Fell 1No. Quercus Robur (T1) subject to TPO 0155.

4 Policy Considerations

Core Strategies 2011 forming part of the HBLDF
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

None

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: 41

Number of site notices:1

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary: I wish to object to the felling of the Quercus Robur contained in the above planning application. No arboricultural report has been provided or any other proper grounds given to justify this drastic action and the loss of an amenity and a protected tree. The vague details given would suggest that owner has their future financial interest at heart rather than those of the tenants and the community.

Comment: Noted.

Summary: I oppose this application! This splendid tree is in the grounds of an apparently recently-built block of three and four storey flats, and must have been retained during building as part of the original planning permission. In the general scene, with regard to the road running down the back of the site, it is part of an old [200 years+] group of oaks, and adds to the overall streetscape. It must add to the views from the flats' windows and balconies, and the nearest part of the tree to the building is on the 'blank' side, with no windows. Overall an excellent design to make the best of the tree and the flats.

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.

The tree subject to this application is a mature Oak that is set within the curtilage of a residential block of flats, the tree is planted adjacent to a car parking area and offers high public amenity value to the local area. When viewing the tree the following was apparent:

There is a large amount of dead wood present in the canopy - this should be managed independently of a planning application as it falls within the DD criteria for exempt works.

At the base of the tree there is what may appear to be scars that are remnants of a fungal bracket - the size of the bracket (if it is this) is unknown. In the application it is stated that fruiting bodies are suspected ganoderma - no evidence is given to support this statement.

An application to fell a diseased Oak was received from this applicant earlier this year that had a good level of evidence to support the claims and as such the decision recommended was permission to fell.

The Case Officer has attempted to contact the applicant on five occasions:
23/9 - Message left at Guinness office and a mobile telephone number for the applicant requested and given.

23/9 - Message left for applicant on his mobile phone.

24/9 - Message left for applicant on his mobile phone.

25/9 - Message left for applicant on his mobile phone.

25/9 - Message left for applicant on his mobile phone.

As of writing this report there has been no response from the applicant.

If the applicant is of the opinion that the tree is in a dangerous condition then they have the right to evoke the DD exemption of the T&C Planning Act and undertake the works they see fit, and then inform the LPA.

8 Conclusion

Recommend refusal due to lack of information.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE TPO CONSENT** for application APP/13/00741, for the following reasons.

- 1 The tree is a significant feature in the local landscape, insufficient evidence has been submitted to allow for an informed decision to be made as to the full condition of the tree and whether felling is required.

The 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 2012.