
Site Address:	2 Gleneagles Drive, Waterloooville, PO7 8RX		
Proposal:	Fell 1No. Oak tree within Group 1 of TPO 1206.		
Application No:	APP/14/00020	Expiry Date:	07/03/2014
Applicant:	Mr S Millett	Team:	Team 2
Agent:		Case Officer:	Jamie Gargett
Ward:	Cowplain		

Recommendation: **REFUSE TPO CONSENT**

1 Site Description

The tree is located on a grassed area situated to the rear of 1 Gleneagles Drive and located on land owned by 2 Gleneagles Drive.

2 Planning History

None relevant

3 Proposal

Fell 1No. Oak tree within Group 1 of TPO 1206.

4 Policy Considerations

National Planning Policy Framework

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: 10

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary: Reasons given by the applicant are -

"Interfering with the highway". How?

"Excessive shading". Google map shows the garden enjoying full sunshine.

"Health and safety to the general public". Demonstratively how?- since later the applicant confirms the condition of the tree is not diseased, with no concern it will fall or break.

Comment: Noted.

Summary Applicant alleges damage to property but has not supplied support report by an engineer or surveyor as required. Also no report from an arboriculturist to support the tree work proposals. Tree has much local amenity value as it stands.

Comment: Noted

7 Planning Considerations

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 of this application is a large mature Oak situated on a grassed area to the rear of the applicants garden and owned by a third party. The Oak is a mature specimen circa 100+ years old and has a large amount of dead wood present throughout the canopy (The applicant has been advised this can be removed under DD exemption) it is also ivy clad making it impossible to see the structural condition of the tree from a basic visual inspection. The applicant has been advised to seek the advice of a tree surgeon and then act on his recommendations - this may provide evidence that the tree requires works or if anything detrimental is found then it may indicate that tree removal is required - at present this has not been established.

The applicant states damage to property (previous subsidence) a guarantee of works submitted with the application demonstrates that the subsidence has been settled and no further information has been submitted to state that there is now any connection between the Oak tree or any other subsequent damage.

During the application period a dead branch has fallen from the canopy as a result of the high winds - the tree owner (not the applicant) has cleared this up but the applicant has stated that the tree owner is refusing to have any other works done to the tree.

HBC Planning Arborist will be contacting HBC Open Spaces Arborist to ask for an assessment to be made regarding the Local Government Misprovision Act or/and Highways involvement.

Andrew Skeet and I visited the site on 13 February 2014 and there were no obvious risks associated whereby the tree would meet the Misprovision requirement of a notification to Highways. The tree owner stated that should the application to fell be

refused then he will apply for a 4m crown reduction to the tree. He was informed of the importance of removing the ivy so as the tree can be assessed.

In this instance the applicant has not provided the required level of information to allow for a mature TPO tree offering high public amenity value to be felled.

8 Conclusion

Recommend Refusal on the grounds of lack of information.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE TPO CONSENT** for application APP/14/00020 for the following reason

- 1 The tree is a significant feature in the local landscape. Its proposed felling would result in undue loss and detriment to the visual amenities of the locality. It has been recommended that the tree should be inspected by a suitably qualified Arborist and recommendations acted upon (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.