
Site Address:	33 Cavendish Drive, Waterlooville, PO7 7PJ		
Proposal:	Fell 2No. Oak trees (T1 & T2) subject to TPO 1492.		
Application No:	APP/14/00368	Expiry Date:	30/05/2014
Applicant:	Mr V Cooper	Team:	Team 2
Agent:		Case Officer:	Jamie Gargett
Ward:	Waterloo		

Recommendation: **REFUSE TPO CONSENT**

1 Site Description

The trees are located along the back boundary of a large residential rear garden.

2 Planning History

00/00000/000

3 Proposal

Fell two oak trees subject of TPO 1492.

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

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: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 5

Summary: I completely support the application to reduce the crown of the two oak trees by four metres which should be the minimum reduction in order to manage the height and spread of these two trees which have been allowed to grow in a less managed and

more haphazard manner compared to the line of oak trees which exists at the rear borders of the properties between Cavendish Drive and Cavendish Close. All other oak trees in the same line as these two have been reduced and managed at regular intervals in order to mitigate the risk of damage to properties, primarily those in Cavendish Close. Consequently, these two particular oak trees now pose a significant and substantial threat both to the occupants of the properties at nos 3 and 4 Cavendish Close and to the properties themselves as the height and spread of the trees exceeds the distance of the trees from the rear walls of the houses in question. I would also support the felling of the two oak trees providing that a substantial section of the tree trunks remains in situ as ground heave and subsidence are distinct possibilities having a detrimental impact on my property at no. 4 Cavendish Close Waterlooville.

Comment: Permission has been recommended for the reduction of the trees. If the trees were to be felled the Council can not impose a condition where by the trees must be left at a substantial height. The way a tree is dismantled and felled is agreed between the owner and tree surgeon. Discussion with a engineer may also be sought in instances where heave may be a consideration.

Summary: We at 2 Cavendish Close are not directly affected in the same manner as our neighbours at 3 Cavendish Close, or 33 Cavendish Drive, we do support the approval for the application to fell the oaks. However in relation to "12 oak", though we are not directly affected, we could be in the near future if no action is taken now. This tree is far too high at present, and is in danger of rekindling the subsidence problems caused to 3 Cavendish Close of a few years ago, and this time its roots could also have an impact on our house. Thus if felling is not approved, then we would support a substantial reduction in its height to a level similar to that of surrounding oaks which are not subject to TPOs.

Comment: The issues of size and root growth will be addressed via the reduction applied for on these trees in another application.

Summary: The Sycamore Tree Surgeons who examined the two oak trees, see Planning Application 14/00342, did not report any signs of disease and had no fears that the trees might break or fall. It follows that there is no good reason for felling these trees and reducing the crowns is all that is necessary.

Comment: Noted.

Summary: Tree T2 is barely 7.5M from the rear wall of our home and does not conform to the minimum recommended distance between tree trunks and walls of properties. During the 1993 investigation into the subsidence of our home it was established by trial hole excavations that the roots of T2 were responsible for the desiccation of the ground beneath our property. The subsidence caused a brick built extension to be completely demolished and the rear wall of our property to be extensively underpinned.

Comment: The subsidence at this property was addressed and the affected extension demolished and then rebuilt taking into account the soil type and tree location. No further problems with the new conservatory have been attributed to the tree.

Summary: Application to fell two TPO oaks from a Waterlooville resident (yet again). These oak are healthy and part of the area oak line-up. To request their felling is an unnecessary and sledgehammer approach. They can be reduced to a size reasonable to their location . Surprising that the applicant hadn't gone for that in the first instance.

Comment: 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:

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 trees 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 trees subject to this application are two mature Oaks displaying what appears to be normal vigour and vitality. The canopy of these trees have a large amount of dead wood present and some evidence of storm damage. it would be beneficial to remove the dead wood and tidy up the storm damage and at the same time carry out an aerial inspection to ascertain the condition of the trees surrounding the snapped out small limb during the recent heavy winds.. This was discussed on site with the applicants.

The oaks are a valuable assets in the area and contribute greatly to its character, their loss would be detrimental in terms of amenity value and biodiversity habitat.

In this instance there is no information provided that justify's the removal of these two oak trees and in another current application the applicants tree surgeon recommends that the trees are reduced. This application has been recommended for approval.

8 Conclusion

Recommend refusal.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE TPO CONSENT** for application APP/14/00368

(A)

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

- 1 The trees are significant features in the local landscape and appear to be in adequately sound and healthy condition. Their 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 trees' 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.