



Havant
BOROUGH COUNCIL

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To:
Mr M Carter
MJC Tree Services Limited
89 Hampton Lane
Blackfield
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For: Mr R Osborne

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

Application Number: APP/12/01158

Site Address: 41B Bedhampton Hill, Havant, PO9 3JN

Proposed Tree Works: Fell 2No. Sycamores (within 41A & 41B Bedhampton Hill), within Group 1 of TPO 1779.

Further to your application received on 07 November 2012 Havant Borough Council, as Local Planning Authority, **Refuses Consent** for the above works.

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

- 1 The trees are a significant feature 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.] The proposal is therefore contrary to policy DM8 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 1.

From an Arboricultural aspect; Government advice in such cases is set out in: Tree Preservation Orders: A Guide to The Law and Good Practice 2009 (para. 6.40C). This considers that relevant evidence that should accompany an application for felling where subsidence is alleged. This evidence includes trial/bore holes to identify soil characteristics, foundation depth, and identification of tree roots found.

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

Our Ref: APP/12/01158

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.gvo.uk/pcs.
- (3) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) take a positive and proactive approach to development proposals focused on solutions. HBC work with applicants and agents in a positive and proactive manner by;
 - Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,In this instance:
 - You were updated about issues after the initial site visit,
- (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)

11 December 2012