



Application for tree works: works to trees subject to a tree preservation order (TPO)
and/or notification of proposed works to trees in a conservation area.

Town and Country Planning Act 1990

You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using block capitals and black ink.

You must use this form if you are applying for work to trees protected by a tree preservation order (TPO). (You may also use it to give notice of works to trees in a conservation area).

It is important that you read the accompanying guidance notes before filling in the form. Without the correct information, your application / notice cannot proceed.

1. Applicant Name and Address

Title:	Mr	First name:	Roy
Last name:	Osborne		
Company (optional):			
Unit:		House number:	41A
		House suffix:	
House name:	Bedhampton Hill		
Address 1:			
Address 2:			
Address 3:			
Town:	Havant		
County:	Hampshire		
Country:	UK		
Postcode:	PO9 3JN		

2. Agent Name and Address

Title:	Mr	First name:	Mark
Last name:	Carter MICFor. MRICS Dip.Arb(RFS)		
Company (optional):	MJC Tree Services Limited		
Unit:		House number:	89
		House suffix:	
House name:			
Address 1:	Hampton Lane		
Address 2:			
Address 3:	Blackfield		
Town:	Southampton		
County:	Hampshire		
Country:	UK		
Postcode:	SO45 1WL		

3. Trees Location

If all trees stand at the address shown in Question 1, go to Question 4. Otherwise, please provide the full address/location of the site where the tree(s) stand (including full postcode where available)

Unit:		House number:	41B	House suffix:	
House name:					
Address 1:	Bedhampton Lane Hill				
Address 2:					
Address 3:					
Town:	Havant				
County:	Hampshire				
Postcode (if known):	PO9 3JN				

If the location is unclear or there is not a full postal address, either describe as clearly as possible where it is (for example, 'Land to the rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road') or provide an Ordnance Survey grid reference:

Description:



4. Trees Ownership

Is the applicant the owner of the tree(s): ☒ Yes ☐ No
If 'No' please provide the address of the owner (if known and if different from the trees location)

Title:		First name:	
Last name:			
Company (optional):			
Unit:		House number:	
House name:			
Address 1:			
Address 2:			
Address 3:			
Town:			
County:			
Country:			
Postcode:			
Telephone numbers			
Country code:	National number:	Extension number:	
Country code:	Mobile number (optional):		
Country code:	Fax number (optional):		
Email address (optional):			

5. What Are You Applying For?

Are you seeking consent for works to tree(s) subject to a TPO? ☒ Yes ☐ No

Are you wishing to carry out works to tree(s) in a conservation area? ☐ Yes ☒ No

6. Tree Preservation Order Details

If you know which TPO protects the tree(s), enter its title or number below.

7. Identification Of Tree(s) And Description Of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out. Continue on a separate sheet if necessary. You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work. Where trees are protected by a TPO, please number them as shown in the First Schedule to the TPO where this is available. Use the same numbers on your sketch plan (see guidance notes).

Please provide the following information below: tree species (and the number used on the sketch plan) and description of works. Where trees are protected by a TPO you must also provide reasons for the work and, where trees are being felled, please give your proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

E.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with 1 standard ash in the same place.

2 number Sycamore trees, as identified on the enclosed sketch plan.
Works requested: fell and replace with two more appropriately scaled trees.
Reasons: The enclosed letter report describes the trees and their situation.
The reasons for this application are as follows:

7. Identification Of Tree(s) And Description Of Works continued ...

- 1) The trees pose a foreseeable risk of causing subsidence damage to both 41A and 41B, as described in the enclosed letter report. This identification of a foreseeable subsidence risk, and the drawing of the Local Planning Authority's attention to this risk is particularly significant in the light of the recent Lands Tribunal compensation decision in the John Lyon Charity v City of Westminster case, where failure of the Local Planning Authority to act by granting permission to fell a tree when it had been brought to their notice that it posed a foreseeable risk of subsidence resulted in a £68,511.58 together with simple interest @ 2% per annum.
- 2) The trees overhang the gardens of both dwellings and have potential for future growth that would allow them to overhang the dwellings themselves. This reduces the usable amenity space in both gardens, and a significant quantity of tree related debris is deposited on the gardens. This results in the following issues.

Cont'd.....

8. Trees - Additional Information

Additional information may be attached to electronic communications or provided separately in paper format.

For all trees

A sketch plan clearly showing the position of trees listed in Question 7 must be provided when applying for works to trees covered by a TPO. A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes). It would also be helpful if you provided details of any advice given on site by an LPA officer.

For works to trees covered by a TPO

Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application must be accompanied by the necessary evidence to support your proposals. (See guidance notes for further details)

1. **Condition of the tree(s)** - e.g. it is diseased or you have fears that it might break or fall: ☐ Yes ☒ No
If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

2. **Alleged damage to property** - e.g. subsidence or damage to drains or drives. ☐ Yes ☒ No
If YES, you are required to provide for:

Subsidence

A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.

Other structural damage (e.g. drains, walls and hard surfaces)

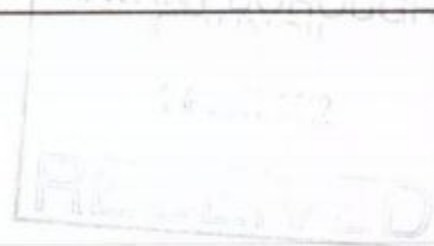
Written technical evidence from an appropriate expert, including description of damage and possible solutions.

Documents and plans (for any tree)

Are you providing separate information (e.g. an additional schedule of work for Question 7)? ☒ Yes ☐ No

If YES, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application. If they are being provided separately from this form, please detail how they are being submitted.

Sketch plan and continuation sheet for section 7.



9. Authority Employee / Member

With respect to the Authority, I am:

- (a) a member of staff (c) related to a member of staff
(b) an elected member (d) related to an elected member

Do any of these statements apply to you?

☐ Yes

☒ No

If Yes, please provide details of the name, relationship and role

10. Application For Tree Works - Checklist

Only one copy of the application form and additional information (Question 8) is required. Please use the guidance and this checklist to make sure that this form has been completed correctly and that all relevant information is submitted. Please note that failure to supply precise and detailed information may result in your application being rejected or delayed. You do not need to fill out this section, but it may help you to submit a valid form.

Sketch Plan

- A sketch plan showing the location of all trees (see Question 8)

☒

For all trees

(see Question 7)

- Clear identification of the trees concerned
- A full and clear specification of the works to be carried out

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For works to trees protected by a TPO

(see Question 7)

Have you:

- stated reasons for the proposed works?
- provided evidence in support of the stated reasons? in particular:
 - if your reasons relate to the condition of the tree(s) - written evidence from an appropriate expert
 - if you are alleging subsidence damage - a report by an appropriate engineer or surveyor and one from an arboriculturist.
 - in respect of other structural damage - written technical evidence
- included all other information listed in Question 8?

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11. Declaration - Trees

I/we hereby apply for consent/give notice for tree work as described in this form and the accompanying plans and additional information.

Signed - Applicant:

Or signed - Agent:

Mark Carter

Date (DD/MM/YYYY):

13/06/2012

(This date must not be before the date of sending or hand-delivery of the form)

12. Applicant Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

13. Agent Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

mjc@mjc-treeservices.co.uk

Electronic communication - If you submit this form by fax or e-mail the LPA may communicate with you in the same manner.
(Please see guidance notes)

Section 7 Continued

a) The light levels in the gardens are reduced by the ever increasing canopies of the trees and this is increasingly restricting the variety of plants and density of grass lawn that can be usefully grown in the garden.

b) The trees deposit a great number of seeds onto the gardens and into the gutters of the dwellings. Sycamore has a high germination rate and this results in many hundreds of seedling trees growing in the garden to the detriment of garden plants and grass lawns. The germination of seeds in the gutters and downpipes results in blockages that can be difficult to shift.

c) Sycamores are host to huge numbers of Aphids, and these secrete honeydew onto all surfaces below the canopies. This sticky and sugary coating is readily colonised by sticky moulds, creating an unpleasant black covering to the surface that disfigures and makes them unpleasant to handle and walk on.

d)) The trees extract a large percentage of the available soil water in the upper levels and this makes it very difficult to grow garden plants and to maintain a viable lawn under the canopies.

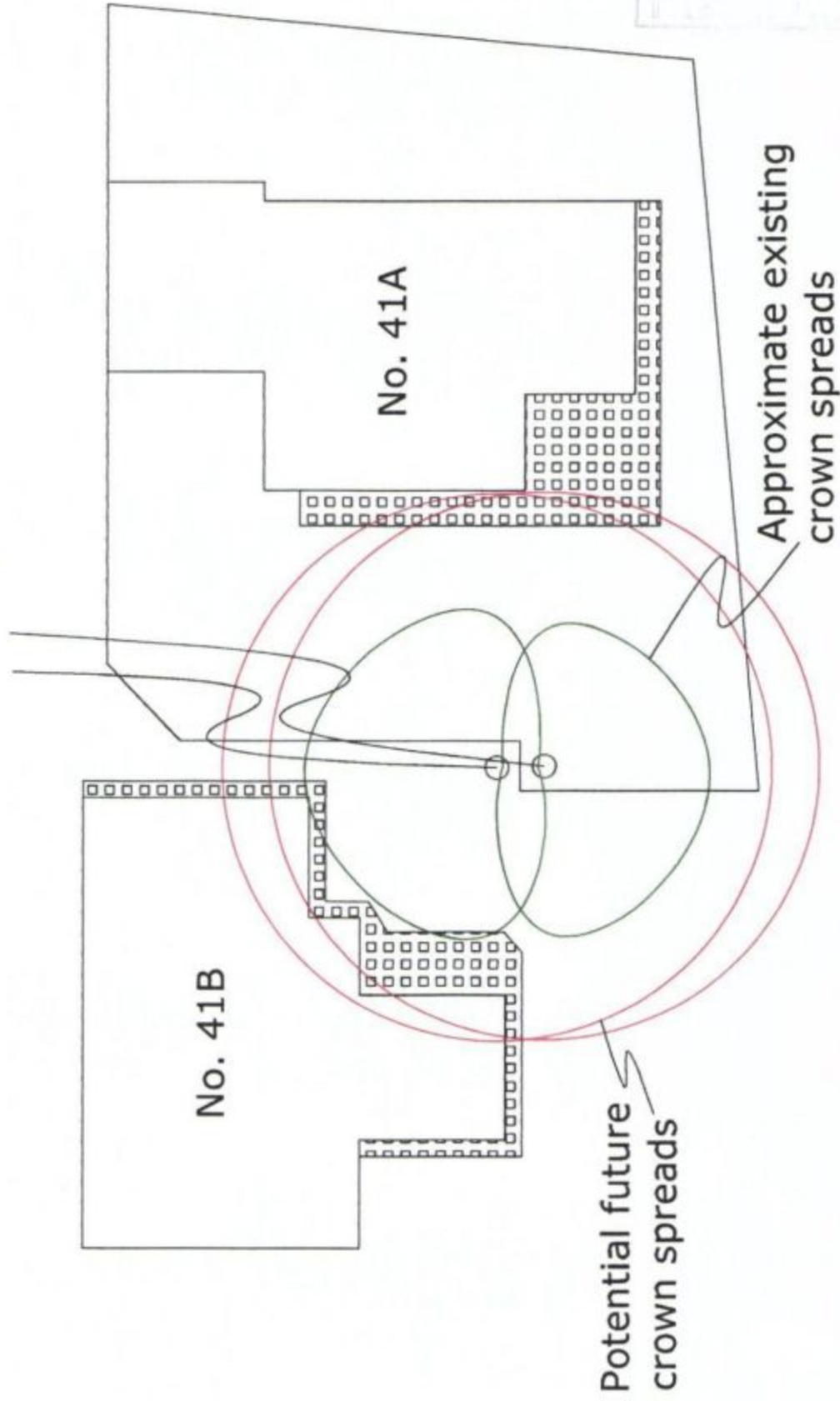
As one tree is in the ownership of each dwelling, but both create these problems in each garden, each tree is causing a legal nuisance to the neighbouring property. Therefore, each neighbour can legitimately claim that the other neighbour should take action to alleviate this nuisance.

3) It has been previously suggested by the Local Planning Authority that the level of this nuisance can be reduced by regular crown pruning. However, this intervention represents a ongoing and onerous expense to both neighbours, and this expense could be avoided if the trees were removed and replaced by trees more in scale with the space available e.g. Field Maple.

4) The trees are set well back from the public highway and this has reduced their public visibility compared to, for example, a roadside tree. Therefore the trees must be of limited public visual amenity value and their loss would not represent an unacceptable impact on the public amenities of the locality, especially if they were replaced by more appropriately scaled trees as has been suggested.



2 no. Sycamore trees



No. 41A

No. 41B

Potential future
crown spreads

Approximate existing
crown spreads

HAYWARD & SONS
SURVEYORS
14 JUN 2012
RECEIVED

No's. 41A and 41B Bedhampton Hill - sketch plan - not to scale