



To:
Mrs K Taylor
Marishal Thompson Group
6g Greensfield Court
Alnwick
Northumberland
NE66 2DE

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

Application Number: APP/10/00012

Site Address: 30 Grassmere Way, Waterlooville, PO7 8RT

Proposed Tree Works: Prune 2No. Oak trees to previous points, remove Cypress hedge and fell 4No. further Oak trees subject to TPO 1206.

Further to your application received on 06 April 2010, 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 grouping of the Oak trees, (which are part of G1 of TPO No.1206), are an outstanding and significant natural feature in the local landscape and streetscene, and which appear to be adequately sound and healthy. The loss of the trees would result in a significant loss to the visual amenities of the locality, and it is considered that the alleged damage to property can be addressed by other remedial works which would not involve felling of the trees. The proposal is therefore contrary to saved Policy L6 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

In coming to its decision the Council considered the plans and other documents submitted with your application, as supplemented by additional information received on 15 July 2010.

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.gov.uk/pes.
- (3) **Informative:**
The applicant is advised that a certificate under Article 5 of the Tree Preservation Order no. 1206 of 23rd October 1984 has been issued concurrent with this notice of refusal of consent for the tree works under application APP/10/00012. A copy is attached to this notice.


for
Julia Potter
Executive Head of Planning and Built
Environment

07 January 2011

CERTIFICATE UNDER ARTICLE 5 OF THE TREE PRESERVATION ORDER 1206 of 23rd October 1984

THE COUNCIL CERTIFY in respect of the Oak Trees in the gardens of No. 30 Grassmere Way, Waterlooville, Hampshire, (which are part of the group 'G1' in the above Order) that they are satisfied:

Their decision is in the interests of good forestry and that the trees have outstanding and significant amenity value.

The Council's reasons for issuing this certificate are:

The oak trees (which are part of G1 of TPO no.1206) are an outstanding and significant natural feature in the local landscape and streetscene. Collectively they form a distinctive and highly visible landscape feature with well formed, full and generally rounded canopies which forms a long standing feature of the landscape, around which later development has been designed. The trees appear to be adequately sound and healthy. The loss of the trees would result in a significant loss to the visual amenities of the locality and it is considered that the alleged damage to the property can be addressed by other remedial works which would not involve felling of the trees. The proposal is therefore contrary to saved Policy L6 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

The effect of this certificate is to remove the Council's liability to pay compensation for any loss or damage suffered as a result of our decision.

You can appeal to the Secretary of State for Communities and Local Government this certificate by writing to:

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
Tel: 0117 372 8000

Email: environment.appeals@pins.gsi.gov.uk

within 28 days from the date you receive this certificate. If your appeal is successful, the Secretary of State may cancel the certificate.

This certificate was issued on 7th January 2011


for
Julia Potter
Executive Head of Planning and Built
Environment

07 January 2011