Havant
BOROUGH COUNCIL

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For: Mr Ball

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

Application Number: APP/10/00786
Site Address: The Curlews, 2 St Peters Avenue, Hayling Island, PO11 0SA
Proposed Tree Works: Fell 5No. Leyland Cypress trees and 1No. Scots Pine tree subject to TPO 1513.

Further to your application received on 22 October 2010 which was valid from 03 November 2010 Havant Borough Council, as Local Planning Authority, **Grants Consent** for the above works.

This consent is subject to compliance with:

(i) The plans and other documents submitted with your application.

(ii) The following conditions:

Conditions:

1 The tree works for which consent is hereby granted shall not be carried out otherwise than in full accordance with all relevant content of BS 3998 (2010).
Reason: In the interests of tree health and safety.

2 The five Leyland Cypress trees to be felled shall be replaced by five replacement trees, chosen from the following list:

- Pyrus calleryana "Chanticleer" - Ornamental upright growing pear tree.
- Betula ermanii. - Ermans Birch / Russian Rock Birch.
- Betula utilis. - Himalayan Birch.
- Cercydiphyllum japonicum. - Katsura tree.
- Quercus robur. - English oak.

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or such other tree types as shall first be agreed in writing by the Local Planning Authority.

The replacement trees are to be planted during the next planting season following removal of and in a position as near as practicable to the position of, the trees to be felled. The replacement trees shall be to be at least 1.8m metres in height when planted. Suitable tree protection shall be installed in order to protect the newly planted tree from browsing damage by livestock or other animals. If within a period of three years, any tree planted as a replacement is cut down, felled, uprooted, removed or dies, or becomes in the opinion of the Council seriously damaged or defective:

a) the Council shall be notified as soon as is reasonably practicable; and

b) another tree of the same species and size shall be planted in the same location at a time agreed in writing with the Council unless the Council agrees in writing to dispense with or vary the requirement.

Reason: To conserve and safeguard the visual amenities of the locality in accordance with saved policy L6 of the Havant Borough District-Wide Local Plan 1996-2011, which comprises part of the Local Development Framework.

3 The tree works for which consent is hereby granted shall be carried out and completed no later than 07 February 2012.
Reason: To safeguard the health and wellbeing of the trees.

4 The applicant shall give at least 10 days notice of the proposed start date for the approved works, to give the Local Planning Authority the opportunity to arrange supervision of the works as necessary.
Reason: To safeguard the health and wellbeing of the trees.

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 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 6573.

(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) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to action being taken by the Council under the Town and Country Planning (Trees) Regulations 1999. If you wish to depart from the approved details or conditions in any way you should contact the Planning and Development service at the Civic Offices or by telephoning 023 9244 6015.

(4) Your attention is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended) which relates to the protection of nesting birds. Any felling of trees, lopping of trees, tree surgery, or ground clearance affecting nesting birds during the months between April and September may be in contravention of that Act. You are advised to contact the local office of English Nature at Lyndhurst for further information (023 8028 3944).

Julia Potter
Executive Head of Planning and Built Environment

07 February 2011

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