

**P/14/1121/TO**

**TITCHFIELD COMMON**

MRS MARIA MORRIS

AGENT: MR KEITH HUELIN

FELL ONE OAK PROTECTED BY TPO 695.

14 ST EDMUND CLOSE FAREHAM HAMPSHIRE PO14 4RQ

***Report By***

Paul Johnston - Direct dial 01329 824451

***Site Description***

This application relates to a tree situated within the rear garden of a semi detached property on the north side of St Edmund Close and south of Clarendon Crescent.

***Description of Proposal***

Consent is sought to fell one oak protected by TPO 695.

The applicant states the tree should be felled due to its shading, low amenity value and incongruity with its surroundings. An Ash tree is proposed to be replanted.

***Policies***

The following policies apply to this application:

**Approved Fareham Borough Core Strategy**

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

**Fareham Borough Local Plan Review**

DG4 - Site Characteristics

***Representations***

Five representations have been received supporting this application and requesting that permission for works be granted based on the following grounds:

- 1) The oak tree is too large, old and unsafe;
- 2) The tree offers no public amenity;
- 3) Felling of the tree would have no public impact;
- 4) It was irresponsible of the Council to allow dwellings to be built so close to the tree;
- 5) The species is more suited for fields and is not appropriate for an urban environment;
- 6) The tree may be infested with oak processionary moth;
- 7) The tree may cause subsidence in the future;
- 8) Reduction of trees is not a solution;
- 9) There are an abundance of oaks in the area;
- 10) There is no reason why it should not be felled;
- 11) Light to the property would be improved by felling this tree.

***Planning Considerations - Key Issues***

Background

On the 19 November 2014 the Council confirmed Tree Preservation Order 695 in respect of the oak tree situated in the rear garden of 14 St Edmund Close.

The application oak is a mature specimen estimated to be 16 metres in height and situated approximately 12 metres to the northeast of the dwelling at 14 St Edmund Close. The subject oak tree predates the development within which it was successfully retained 30 years ago. The tree forms part of a wider landscape and planning context and contributes significant amenity value to the surrounding development due to its size and prominence.

#### Comment

An informal visual inspection of the oak was undertaken from ground level with the aid of binoculars. At the time of inspection the tree was observed to be healthy and free from any significant defects that would result in an abnormal risk of failure.

Trees may be a source of frustration from time to time due to shading, falling debris, sweeping up leaves, clearing gutters and such like. However, it is to be expected that large, mature trees will cast shade and produce copious amounts of tree related debris. Shading and the periodic clearing of debris, albeit an inconvenience, is considered to be part of living in close proximity to trees and provides no justification for removing the subject oak tree.

Tree preservation orders seek to protect trees in the interest of public amenity, therefore it follows that the removal of a protected tree should only be sanctioned where its public amenity value is outweighed by other considerations. In general terms, it follows that the higher the amenity value of the tree and the greater the impact of the application on the amenity of the area, the stronger the reasons needed before consent is granted.

The Council has not received any evidence to suggest the application oak is the cause of damage to property as a result of clay soil shrinkage due to moisture abstraction by tree roots. In circumstances where a protected tree has been identified as a material cause of subsidence damage to property, the Council will not unreasonably withhold consent for the offending tree to be removed if such a course of action is justified by the facts of the case.

It is acknowledged that the amount of noise and movement associated with trees during high winds can be unnerving and those living close to trees may feel anxious about their safety during a storm. However, a perceived threat of tree failure should not be a basis for tree pruning or indeed removal. All trees pose some degree of risk, but in this case there is nothing to suggest that the subject trees pose any undue level of risk. There are no guarantees of absolute safety in the event of severe adverse weather conditions, since all assessments should be undertaken for normal conditions and not try to speculate about what might happen in the event of severe or abnormal weather conditions.

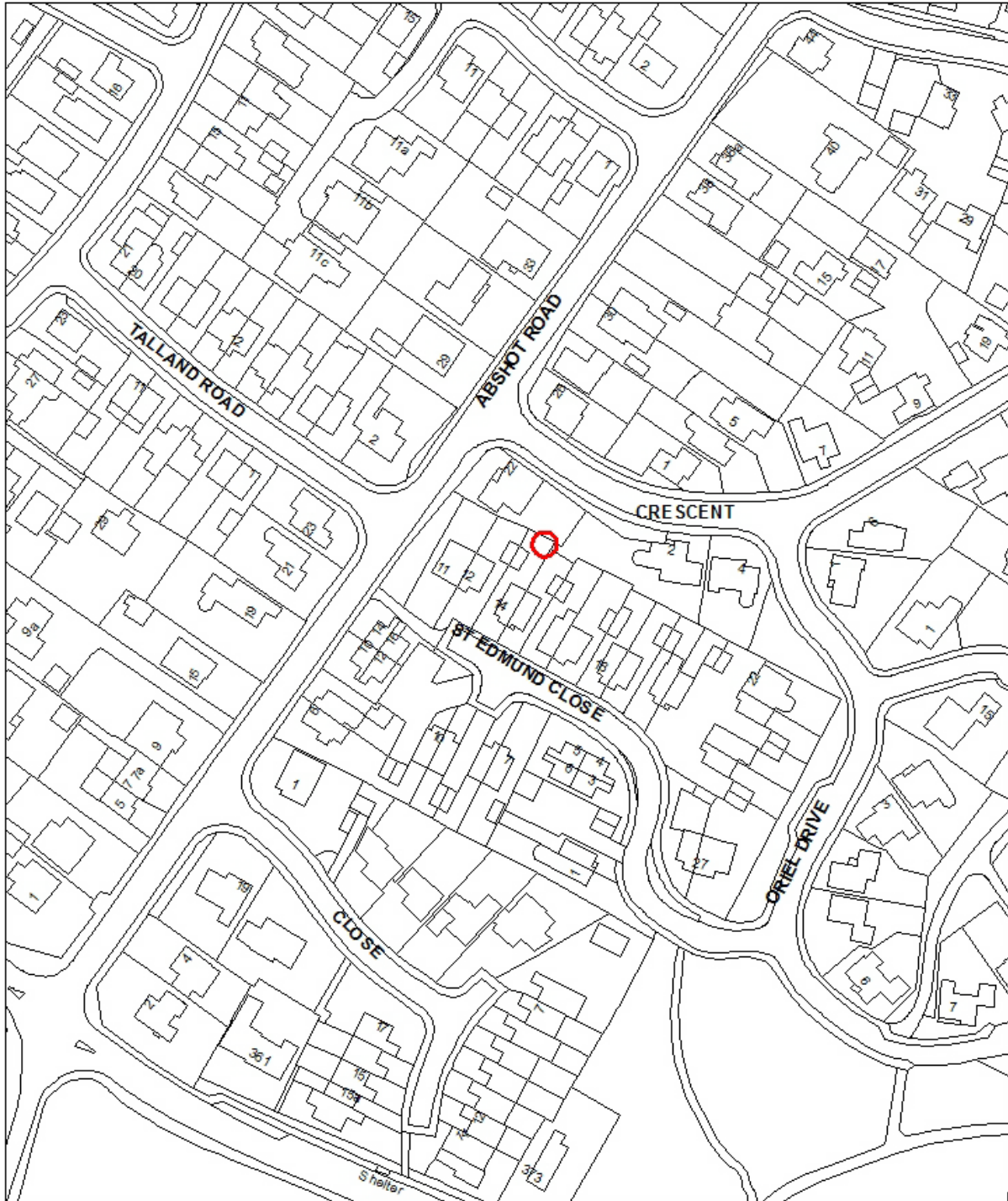
Officers consider the inconvenience caused to the applicant by the oak tree does not outweigh its contribution to local public amenity and to the character of the area. Therefore the reasons given for felling the oak are not sufficient to justify its removal.

#### ***Recommendation***

**REFUSE:** Insufficient arboricultural evidence, harmful to visual amenities and character of the area.

# FAREHAM

## BOROUGH COUNCIL



14 St Edmund Close  
Scale 1:1250

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