

**P/15/0256/TO**

**TITCHFIELD**

MRS TRACY WHITAKER

AGENT: MRS TRACY WHITAKER

FELL ONE MONKEY PUZZLE TREE PROTECTED BY TPO 489

181A SEGENSWORTH ROAD WEST FAREHAM HAMPSHIRE PO15 5EH

***Report By***

Nate Smith - direct dial 01329 824415.

***Introduction***

Councillor Mrs Hockley has requested that this application be brought before the Planning Committee as she considers the Monkey Puzzle should be felled on the grounds that it is too close to the house and is causing distress to the owners.

***Site Description***

This application relates to a protected Monkey Puzzle situated in the front garden of a semi detached property situated on the south side of Segensworth Road and north of Merecroft.

***Description of Proposal***

Consent is sought to fell one Monkey Puzzle because it is considered to be leaning. There is also concern from the applicant over the quality of the property's structure in relation to the tree. The Monkey Puzzle is protected by TPO 489.

***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

***Relevant Planning History***

The following planning history is relevant:

<b><u>P/07/0631/TO</u></b>	<b>REMOVE FIVE BRANCHES FROM MONKEY PUZZLE TREE, REMOVE LOWER LIMB AND CUT BACK TWO FURTHER LIMBS FROM OAK TREE COVERED BY FTPO 489</b>
	CONSENT                      14/06/2007

<b><u>P/06/0608/FP</u></b>	<b>Demolition of Existing Bungalow and Erection of a Pair of Semi-Detached Dwellings</b>
	PERMISSION                      06/07/2006

***Representations***

One representation has been received supporting the felling of the tree on the following grounds:

- 1) The tree cannot be maintained due to its height and species;
- 2) The tree regularly drops branches;

- 3) The tree is in decline;
- 4) The tree is losing its aesthetic appearance.

One representation has been received suggesting that the Council's Tree Officer submit his opinion as the layperson is not qualified. It was also noted that there was great effort made to protect the tree at the time the property was built and that the applicant's own arboriculturalist advises that the tree does not pose a threat at this time.

### ***Planning Considerations - Key Issues***

Permission was granted to demolish the original bungalow at 181 Segensworth Road and erect a pair of semi-detached dwellings on 6 July 2006 (P/06/0608/FP refers). Tree Preservation order 489 was made on 2 June 2003 and confirmed on the 13 August 2003.

At the time the developer's architect, arboricultural consultant and the Council's tree officer worked together to ensure the Monkey Puzzle tree was retained successfully and created a unique development. The front elevation of the two replacement dwellings is in exactly the same position as the original bungalow relative to this tree, with the increased size of the modern dwellings extending off the rear elevation. The positioning of the front driveway access to each plot and the permeable construction of the drive and parking areas were all undertaken to minimize the impact on the Monkey Puzzle tree and provide a flexible surface above the tree roots.

The application tree is a mature Monkey Puzzle situated in the front garden of 181A Segensworth Road. The tree is estimated to be 18 metres tall and 3 metres away from the front north east elevation of the dwelling. The tree is a large prominent specimen, clearly visible from Segensworth Road and makes a significant contribution to the surrounding landscape character and public amenity of the street scene.

The Council's Principal Tree Officer inspected the monkey puzzle tree on 11 October 2013 in the presence of the owner and at the time recommended that the dead wood be removed and that there were no grounds at that time for felling the tree, which was healthy and free from any significant defects.

The case officer inspected the tree on Friday 27 March 2015. At the time of the site visit the tree was observed to be healthy and no significant visible defects or abnormalities were evident that may have an adverse impact on its condition and stability.

A considerable quantity of large diameter (>100mm) dead branches were observed internally within the crown, which were recommended to be removed immediately without the need for a formal application. In the officer's view felling this protected tree cannot be justified on the grounds suggested and the arboricultural report commissioned by the owner in May 2014 made the same recommendation to remove the dead branches and that the tree posed no undue risk to people or property.

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. At the time of inspection the Monkey Puzzle was observed to be healthy and no significant visible defects or abnormalities were evident that may have an adverse impact on its health and safety.

Officers appreciate that the amount of noise and movement associated with trees during high winds can be unnerving. However, the perceived threat of failure should not be a basis

for tree pruning or removal. All trees pose some degree of risk, but in this case there is nothing to suggest that the application tree poses 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 events.

The reasons given for felling the Monkey Puzzle are not sufficient to demonstrate that this tree poses an undue level of risk to the safety of the owner or their neighbours and are therefore insufficient to justify its removal.

***Recommendation***

REFUSE: The proposed felling is considered to be contrary to Policy DG4 of the Fareham Borough Local Plan Review and Policy CS4 of the Fareham Borough Core Strategy in that it would represent poor arboricultural practice for which there is insufficient justification. Furthermore felling the tree would be detrimental to the public amenity value, harmful to the visual amenities and to the character of the area.

***Notes for Information***

The removal of dead wood and dangerous branches is subject to 5 days' notice and as per the three recent recommendations - 11/10/2013, 05/05/2014 and 27/03/2015.

***Background Papers***

Please see planning history above.

# FAREHAM

## BOROUGH COUNCIL



181A SEGENSWORTH ROAD WEST  
SCALE: 1:1,250

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