

P/18/0687/TO

TITCHFIELD

MRS WENDY WYATT

AGENT: MRS WENDY WYATT

FELL THREE OAKS LOCATED IN THE REAR GARDENS OF 29,33 AND 35 HILLCROFT. THESE TREES ARE PROTECTED BY TPO450.

29, 33 & 35 HILLCROFT FAREHAM PO15 5ES

Report By

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Introduction

The application relates to three mature oak trees situated to the rear of 29, 33 and 35 Hillcroft, Titchfield. The trees are protected by TPO 450, which includes a total of 12 oak trees situated along the south boundary of the development in private residential gardens.

The application proposes to remove the three trees on the grounds that they are having a significant adverse impact on the use and enjoyment of the properties affected. The owner's of the trees have confirmed that they are supportive of the proposal to fell them.

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.

Site Description

The subject trees predate the surrounding development completed in the early 1990s and are now situated in the rear gardens of 29, 33 and 35 Hillcroft. The trees were successfully retained within the completed development 25 years ago. The trees form part of a wider landscape and planning context and make an important contribution to their surroundings because of their size and as an avenue feature of mature trees adjacent to the Office of National Statistics.

The application trees are situated towards the bottom of the south facing gardens of several properties - the rear gardens are approximately 12 metres in length from the original dwelling.

The trees are partially visible from Hillcroft, visible with ease from Branewick Close and form a linear landscape feature adjacent to the north boundary of the Government offices.

Description of Proposal

Fell three oak trees on the following grounds:

- The trees are too close to the houses.
- They prevent plants growing successfully.
- They prevent the enjoyment of the garden due to the canopy spread.
- They have grown enormously in recent years.
- Permission has been granted to prune the trees, but they grow much faster after pruning.
- There is a constant danger of dead branches hitting someone and the conservatory.
- A member of the family who requires sunlight and respite cannot use the garden.
- There is nowhere private to sit unless the front garden is used.
- It is not possible to have a lawn.
- Planning permission would not be given nowadays to build this close to trees.
- Concerns about the structure of the house and damage to foundations.
- They do not have public amenity because they cannot be seen from the road.
- Excessive shade due to size of canopy.

- Adverse impact on the families health due to the damp atmosphere around the trees.
- Damp, shady conditions cause mold on plants, garden furniture and inside the house.
- These damp conditions cause breathing difficulties and allergies.

Relevant Planning History

The following planning history is relevant:

- 29 Hillcroft - P/04/0933/TO Crown reduce one oak tree.
- 33 Hillcroft - P/04/0935/TO Crown reduce one oak tree.
- 33 Hillcroft - P/09/0772/TO Carry out various pruning works to two oaks.
- 35 Hillcroft - P/11/0696/TO Carry out various pruning works to one oak.

Representations

Fourteen representations have been received with 2 representations in objection and 12 representations in support of the proposal.

Planning Considerations - Key Issues

The Council has not received any evidence to suggest any of the three oak trees are the cause of structural damage to property.

The characteristics associated with different tree species can vary greatly; some are more burdensome than others and there can be considerable subjectivity amongst the public as to why a certain tree species is considered inappropriate. A judgement has to be made in terms of balancing the many positive benefits trees provide with any negative characteristics associated with them.

The Council's Tree Strategy acknowledges that a conflict of interest exists because for many residents trees can be a source of frustration. However, these very same trees make Fareham a pleasant place and provide multiple benefits to our communities.

The subject oaks are large, prominent specimens that make a significant contribution to the character of the area. By virtue of the trees' age and size the potential implications on the use and enjoyment of the properties would have been apparent to anyone at the time the development was built 25 years ago and at any time since.

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

In this particularly case, the gardens of the application properties are fairly modest in size and south facing. The trees are located towards the southern ends of the gardens. Whilst the trees undoubtedly have some impact upon the application properties, the size of the trees along with their relationships with the application properties do not, in the opinion of Officers, cause such harm that they should be felled.

Furthermore, if the Council were to grant consent to fell the three application trees on the grounds submitted, applications to fell the neighbouring oak trees may well follow. The relationship between the neighbouring oak trees and other properties in Hillcroft are similar to those currently being considered on this application site.

The loss of the three oaks trees would be harmful to the character of the area and Officers do not believe the grounds advanced by the applicant outweigh this harm.

Recommendation

REFUSE:

No evidence has been submitted to suggest the oaks tree are unsafe or otherwise unhealthy.

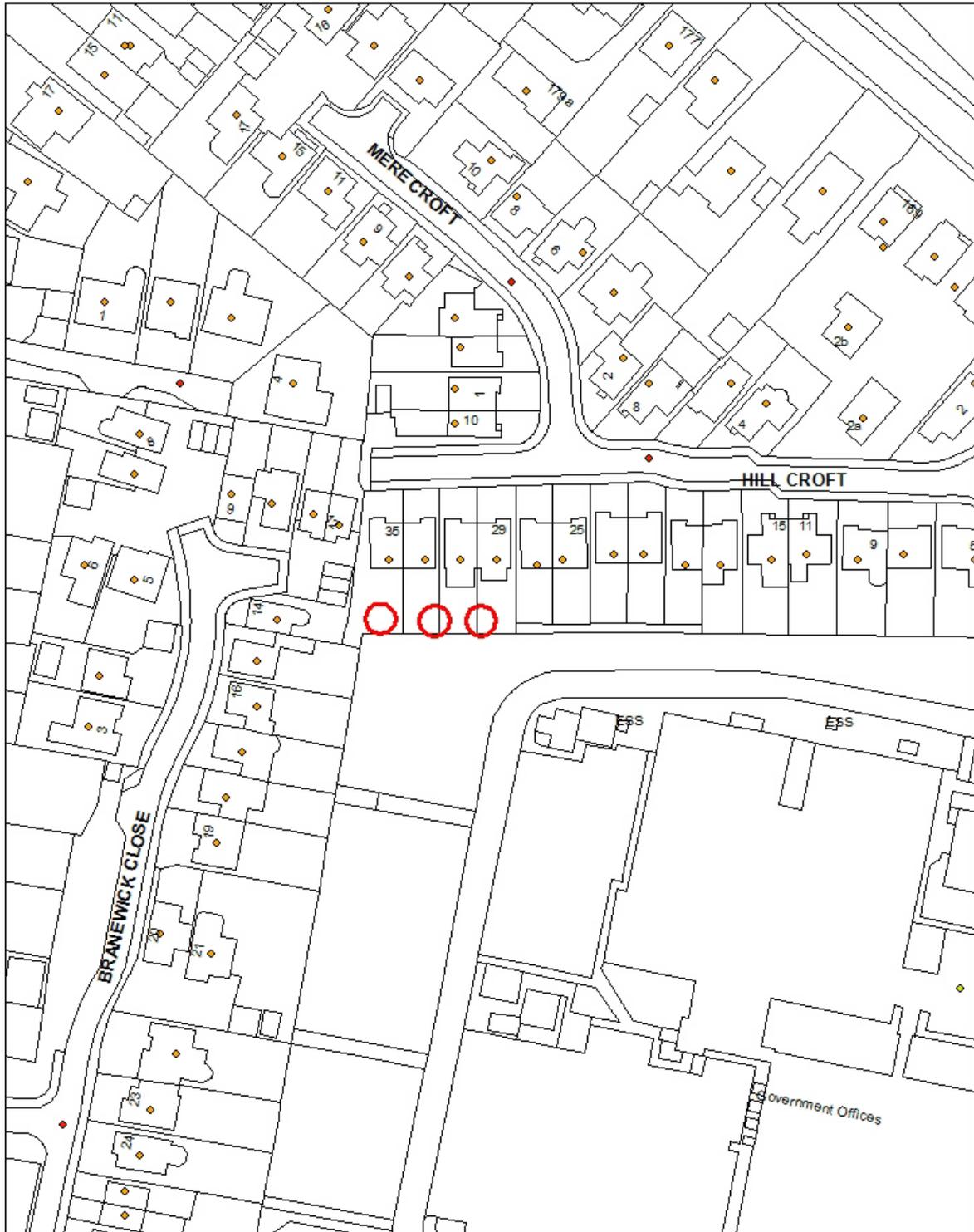
The Local Planning Authority considers the oak trees to be healthy, of good shape and appearance, and of high amenity value. The proposed felling of the oak trees would be harmful to the visual amenities and the character of the area.

Background Papers

TPO 450

FAREHAM

BOROUGH COUNCIL



Hillcroft
Scale 1:1,000



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