



HYTHE AND DIBDEN PARISH COUNCIL

The Grove, 25 St. John's Street, Hythe, Hampshire SO45 6BZ

Serving the communities of Dibden, Dibden Purlieu and Hythe

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To: Members of the Planning Committee

Mr W Binns

Mr R Guy

Mr G Parkes

Mrs M Robinson (ex officio)

Mr M Short (Vice Chairman)

Mr D Smith

Mr B Uglow

Mr A Wade

Mr M Wade

(ex officio)

(Chairman)

and remainder of the Council for information

AGPLN385

26 October 2010

Members of the Planning Committee

are hereby summoned to attend the Planning Committee meeting to be held in The Grove, St. John's Street, Hythe on Monday next, 1 November 2010 commencing at 6.45 pm.

Yours faithfully

Clerk to the Council

AGENDA

1. Apologies for absence.
2. To note any declarations of interest made by Members in connection with an Agenda item. The nature of the interest must also be specified.
3. Public Participation Period.
4. Notification of any other urgent business to be raised at the end of the meeting.
5. Forthcoming events that could affect the communities within the Parish.
6. To sign the Minutes of the meeting held on 11 October 2010.
7. Planning applications and decisions for
 - a) New Forest District Council received up to 27 October 2010.
 - b) National Park received up to 27 October 2010.
8. Notice of Appeal Decision TPO/10/0251 – 10 Golden Hind Park, Hythe Southampton SO45 5BN – Attached.
9. Any other urgent business concerning the Committee.

Planning Applications to be considered on 1 November 2010

1 10/95885 13/10/10

Applicant - Mr P Barnard

Proposal - Solar panels to flat roof (Application for Listed Building Consent)

Site - Deepdene House, Southampton Road, Dibden SO45 5TA

2 10/96173 14/10/10

Applicant - Mr and Mrs Marshall

Proposal - Retention of 1.8 metre boundary fence

Site - 1A Cathay Gardens, Dibden SO45 5TY

3 10/96180 13/10/10

Applicant - Mr Birch

Proposal - Display 2 illuminated cashpoint signs; 1 illuminated projecting sign; 1 illuminated box sign

Site - 21 The Marsh, Hythe SO45 6YU

4 10/96228 13/10/10

Applicant - Mr Harris

Proposal - 2 detached houses; demolition of existing

Site - The Wheelhouse, Lime Walk, Dibden Purlieu SO45 4RB (NB Proposed legal agreement)

5 10/96282 14/10/10

Applicant - Mr Clarke

Proposal - Attached house

Site - 43 Ladycross Road, Hythe SO45 3JW (N.B. Proposed Legal Agreement)

Members are asked to consider the recommended responses in relation to the following tree applications

6 TPO/10/0509 08/10/10

Proposal - T1 Oak - 20% crown thin, reduce lateral branches to give a 2m separation from building and remove epicormic growth from main stem.

Site - 9 Elizabeth Gardens, Dibden Purlieu, Southampton

The Parish Council will take the advice of New Forest District Council's Arboriculturist.

7 TPO/10/0510 08/10/10

Proposal - T1, T2 and T3 Oaks - Crown thin by 15%

Site - 37 Mountfield, Hythe, SO45 5AQ

The Parish Council will take the advice of New Forest District Council's Arboriculturist.

8 TPO/10/0523 08/10/10

Proposal - T1 Oak - Fell

Site - 14 Merrivale Close, Hythe, Southampton SO45 5XA

The Parish Council will take the advice of New Forest District Council's Arboriculturist.

9 TPO/10/0524 08/10/10

Proposal - Oak - Crown clean, crown thin by 20% and crown list to 4m

Site - Culverley, Beaulieu Road, Dibden Purlieu SO45 4PT

The Parish Council will take the advice of New Forest District Council's Arboriculturist.

10 TPO/10/0527 08/10/10

Proposal - T1 Oak - Fell

Site - 4 Hollybank Close, Hythe, SO45 5GE

The Parish Council will take the advice of New Forest District Council's Arboriculturist.

11 TPO/10/0536

22/10/10

Proposal - Oak - Crown list, crown thin 15% and reduce secondary laterals by 2m.

Site - 9 Redwood Close, Dibden Purlieu SO45 5SN

The Parish Council will take the advice of New Forest District Council's Arboriculturist.

12 TPO/10/0537

22/10/10

Proposal Oak - Selective target pruning of 4/5 lowest lateral branches over rear garden and crown thin by up to 15%.

Site - 11 Redwood Close, Dibden Purlieu SO45 5SN

The Parish Council will take the advice of New Forest District Council's Arboriculturist.

13 TPO/10/0538

22/10/10

Proposal - Oak -Crown lift by up to 4m above ground level and crown thin by up to 15%.

Site - 10 Redwood Close, Dibden Purlieu, Southampton SO45 5SN

The Parish Council will take the advice of New Forest District Council's Arboriculturist.

14 TPO/10/0541

21/10/10

Proposal - T8 and T9 Douglas Fir - Crown lift to 5m and clear wires by 1m T7 Thuja - Crown lift to 5m, crown thin by 10%, crown clean and reduce longest limbs by up to 1m.

Site - Chilgrove, Noads Way, Dibden Purlieu SO45 4PD

The advice of the District Council's Arboriculturist will be accepted.

15 TPO/10/0547

22/10/10

Proposal - T31 and T32 Willow - Reduce and shape by up to 3m T35 Oak - Reduce to prevent failure

Site - Depedene Cottage, Southampton Road, Hythe SO45 5TA

The advice of the District Council's Arboriculturist will be accepted.

6 10/96021

26/08/10

Applicant - Ms Morelli

Proposal - Insertion of roof lights in association with loft conversion

Site - 31 Sir Christopher Court, Hythe SO45 6JR

Decision 26/10/10

Granted subject to conditions

7 10/96023

11/08/10

Applicant - Mr Morley

Proposal - First floor side extension; single-story side and front extensions.

Site - 22 Briarswood Rise, Dibden Purlieu SO45 5SW

Decision 26/10/10

Refused.

8 10/96071

08/09/10

Applicant - Mr and Mrs Page

Proposal - 1 and 2 storey side and front extensions; use of garage as ancillary accommodation

Site - 4 Golden Hind Park, Hythe SO45 5BN

Decision 26/10/10

Refused

New Forest National Park

9 95549/10

19/08/10

Applicant - Mrs Archdeacon

Proposal - Conservatory

Site- Dale Farm, Manor Road, Dibden SO45 5TJ

Decision 26/10/10

Granted subject to conditions



Appeal Decision

Site visit made on 29 September 2010.

by **Alan Engley** MArb (RFS) FArborA MIHort
MICFor AARC ICFRC

an Arboricultural Inspector appointed by the Secretary
of State for Communities and Local Government

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Temple Quay
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Date:

13 OCT 2010

Appeal Ref: APP/TPO/B1740/1363.

Land at 10 Golden Hind Park, Hythe, Southampton SO45 5BN.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent to fell a tree protected by a Tree Preservation Order.
- The appeal is made by Mr David Hoy against the decision of The New Forest District Council.
- The application (Reference: TPO/10/0251), dated 1 June 2010, was refused by notice dated 16 July 2010.
- The work proposed is the removal of a tree.
- The relevant Tree Preservation Order (TPO) is Tree Preservation Order No 24/01 land off 2, 4, 6, 8, 10, 24 and 37 Golden Hind Park and 2 Drakes Close, Hythe in Hampshire, which was confirmed on 1 May 2002.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. On the day of the site visit I met with the appellant and the arboriculturalist for the Council, and we were joined by the occupants of the 2 neighbouring properties, who are interested third parties and along with others, they provided signatures to a petition supporting the application.
3. In their refusal notice, the Council consider there are management options available to reduce the effects of the appeal tree, such as crown reduction, which would contain its growth. And for the sake of clarity, the arboriculturalist for the Council described the possible crown reduction management option with the appellant and the interested parties.

Main Issues

4. I consider that the 2 main issues in this appeal are:
 - The effect on the character and appearance of the street scene and wider landscape if the tree work is carried out; and
 - Whether the reasons given for the tree works are sufficient to justify that course of action.

Reasons

The first issue – the effect on the character and appearance of the street scene and wider landscape if the tree work is carried out.

5. Golden Hind Park is a winding cul-de-sac on undulating land. It lies within a fairly modern residential estate, constructed during the mid-1960s and is characterised by detached houses, set back from the road, with open plan frontages. There is a scattering of mature trees to the front and rear of some of the properties.
6. No 10, which has the appeal tree, is set back on the southerly side of the road and is fairly typical of the properties. The appeal tree is a maturing Cork Oak (*Quercus suber*). It has a height of about 12m and a trunk diameter of 60cm. The trunk forks at about 1.5-2m supporting a wide spreading dome shaped canopy, providing a radial spread extending up to the road and across the width of the lawn.
7. The appeal Oak has evergreen foliage and it is a fairly scarce tree species; it can be seen from some properties along the road and it is very prominent when approaching along Golden Hind Park, and from Armada Drive, where it is a focal point at the road junction. The appellant considers the appearance and visual amenity of the tree is spoilt by Zellers midget moth, a leaf mining insect that causes blotching of the foliage.
8. In my opinion the appeal tree is of large stature and 1 of a few similar trees that grow at the front of the properties locally and it is important for these reasons. I agree with his view that leaf blotching caused by the insect, can detract from its visual amenity, However, on the day of the site visit I found the tree had full and attractive leaf cover, and there was a low degree of leaf blotching. In my view the blotching is seasonal and does not unacceptably reduce its overall visual amenity to the locality.
9. I consider, on balance that the appeal tree makes a valuable contribution to the amenity of the locality and its removal would cause harm to the character and appearance of the area and wider landscape.

The second issue – whether the reasons given for the proposed works are sufficient to justify that course of action.

10. The appellant claims that the appeal tree is too large and blocks light from the front of the house and produces quantities of leaves year round that carpet his property, and the leaf litter causes problems with neighbouring properties. In addition he considers that at its current size, maintenance of the tree is not now possible because it would quickly re-grow.
11. The appellant asserts that the tree causes blockage of the drains and there are concerns it may damage the drainage run along the left side of the property.

12. The Council argue that it has bacterial wet wood exudation at the very tight fork configuration and a foliar insect infestation, but it is in a basically sound condition and the reasons given do not justify its removal.
13. The tree grows to the north of the house; about 8m from the front elevation and 3.5m from the drainage run located along the left side of the property. On the day of the visit I was able to view the tree from the bedroom window of No 10 and I agree with the appellant that it reduces light levels to this side of the house year round, and it has some growth potential.
14. However, in my opinion some form of crown reduction, along the lines described by the Council, would reduce its canopy size and leaf area; it would significantly reduce the problems associated with the leaf litter, and improve the light levels. In my view the tree would respond to surgery by producing new shoots from the cut ends and along the branches that could be periodically removed, with consent from the Council.
15. In my opinion the need for tree maintenance and clearing of fallen leaves and tree debris, forms part of routine household maintenance when living in proximity to trees and provides no justification for removing a good quality, prominent, protected tree.
16. There is no evidence provided of the drainage run along the left side of the property being damaged by the roots of the appeal tree or reasons to suppose damage could occur. And at this distance the risk of direct root damage is very small.
17. I agree with the view of the appellant that the infestation of midget moth can significantly disfigure the host plant. However, in my opinion midget moth damage is seasonal and the amount of damage caused will depend on the insect population, which is variable annually, and in isolation, it provides no justification for removing the protected tree.
18. I have therefore decided on the second issue that the reasons given for removing the appeal tree are insufficient to justify that course of action.

Conclusions

19. My conclusions on the 2 main issues have led me to the view that the appeal Oak has important amenity value and despite seasonal midget moth infestations, it makes a valuable contribution to the character and appearance of the area and wider landscape and the proposed works would cause demonstrable harm. In reaching my decision I have taken into account all matters relating to the appeal tree.
20. In my view the appeal tree has a large wide spreading crown that produces quantities of debris and reduces light levels to the house. However, I consider that crown reduction along the lines described by the Council, would significantly reduce the canopy size and

Appeal Decision APP/TPO/B1740/1363

associated problems, without the necessity of removing a protected tree, and could be the subject of further discussions with the Council. I have therefore dismissed this appeal.

Alan Engley
Arboricultural Inspector