

# **Supplementary Planning Information**

HAVANT BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
27 April 2017

The following supplementary planning information was unavailable when the agenda for the Development Management Committee held on on 27 April 2017 was published.

**Agenda No    Item**

5        **Site Viewing Working Party Minutes (Pages 1 - 2)**

10       **10(1) Tree Preservation Order 2065/2017 - (Pages 3 - 6)**

Subject: To consider representations received in response to the making of a provisional Tree Preservation Order (TPO) in respect of 1No. Pedunculate Oak (Quercus robur)

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## **HAVANT BOROUGH COUNCIL**

At a meeting of the Site Viewing Working Party held on 20 April 2017

Present

Councillor Keast (Chairman)

Councillors Patrick, Satchwell, Hughes and Perry

Officers:

### **35 Apologies**

Apologies for absence were received from Cllr Buckley and Quantrill.

### **36 Minutes**

The Minutes of the last meeting of the Site Viewing Working Party held on 9 March 2017 were approved as a correct record.

### **37 Declarations of Interests**

There were no declarations of interest.

### **38 TPO 2065/2017 - 26 Bound Lane**

A Pedunculate Oak protected by Tree Preservation Order 2065/2017 was viewed at the request of the Head of Neighbourhood Support.

The Working Party received a report of the Head of Neighbourhood Support.

The Working Party viewed the tree, the subject of an objection to the Order, from Bound Lane, so as to assess whether there were any additional matters that should be considered by the Development Management Committee. The locations of other viewpoints were indicated to the Working Party. The Working Party viewed the tree from the street scene on Bound Lane and from the front access of 26 Bound Lane.

RESOLVED that, based on the site inspection and information available at the time, the following information be provided to the Development Management Committee:

- Response from Hampshire County Council of the land ownership the tree was situated.

**The meeting commenced at 1.15 pm and concluded at 1.50 pm**  
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**The below sets out written representations sent to Havant Borough Council regarding Tree Preservation Order 2065/2017.**

All have been published anonymously with the author's consent. These are comments are the views of the individual, submitted to Havant Borough Council, and do not necessarily represent the views of the Council, its officers or Councillors.

1.

I'm writing with reference to TPO 2065/2017.

As previously communicated, we are strongly in favour of the TPO being made permanent, and would like to be informed at every stage of the process. We will strongly contest any attempt to remove the TPO. The remaining oak tree affords us privacy in our bedroom. As the other two trees have been removed, this last tree is all that prevents our bedroom from being open to many other houses from the north of Bound Lane.

As I'm no doubt you're aware, there was a lot of upset and emotion at the removal of the other two trees. The last remaining tree is very much in keeping with the nature of the lane, and as far as I'm aware, the vast majority of the residents were delighted when the emergency TPO was put in place by your department.

2.

It is with dismay that I have heard, that the TPO concerning the remaining oak tree adjacent to 26 Bound Lane is in danger of being rescinded. There is too much desecration of the ancient oak and monterey pines on Hayling, by people who would like to turn the island into a concrete jungle. These trees are important to wildlife and the drainage of surface water, apart from the visual beauty of the landscape. My family have lived on the island since the 15th century and may well have planted some of these trees for future generations to enjoy, not to be destroyed!

I do hope that you will keep the preservation order on this and adjacent trees.

3.

I object to Mr John's application for removal of the TPO from the one remaining tree on the site. This will reduce even further the visual and environmental amenities. What was a rural lane is rapidly becoming a sterile urban environment.

As a background to this matter, and not mentioned in the application for removal of the TPO, Mr. Johns has a planning application, APP/17/00151, that has been granted for this location. A site further North on Bound Lane is currently under construction, application APP/16/00327, has a condition imposed whereby all the existing hedge adjacent to the road was to be kept.

Possibly having read this condition, and mindful of the consequences, Mr Johns arranged for the trees to be felled in the period between Christmas and New Year and then submitted his planning application to the council. This means, of course, that there can be no condition imposed of keeping the existing trees and hedging.

As stated by Mr Johns in his documentation the drive to the property is indeed narrow. With the application for major changes to the property Mr Johns needed to be able to provide access to the site for heavy plant that would be involved in the building project. I believe that the state of the trees was not the primary concern to Mr Johns, it was the requirement to provide site access for construction plant that initiated the action.

The mentioned damage to the trees caused by high-sided vehicles because of council diversions is untrue. The sewerage works that closed Selsmore Road (at the North of Bound Lane) for some time had a diversion signposted that took traffic along Seagrove Avenue to the Seafront and not along Selsmore Road. The signposts were clear and visible but unfortunately drivers ignored these and, as is quite common these days, continued to rely on their Sat Nav and ended up diverting down Bound Lane, the last available turn off, instead of the official route.

In the photographs submitted with the application there are further trees to the South of the site that are also overhanging the road, possibly at a lower height than those outside No, 26. There are also other trees in the area. Again this is a rural Lane. Does Mr. Johns require conformity in everything?

Reading through the documents available on line there seems to be many mistruths and contradictions by Mr Johns and other contributors. On the one

hand Mr Johns insists that the previous owner of the property maintained the border so that there was adverse possession yet another letter submitted in his own document pack from Mr. Peake it is stated that Mr & Mrs Jones (the previous owners) were convinced that the council owned the area and it was up to the council to maintain, which they did. There was also a footpath behind the tree line that was used regularly. The footpath bounded on the west by the substantial fence along the property line and the trees on the East.

To my knowledge Mr Jones did not maintain that area, indeed his own garden was immaculately maintained; a stark comparison with the state of the verge.

I believe the sworn statement by the Successors in Title to Janet Jones (Document 6 in the bundle) in support of the ST1 Application to the Land Registry is false in stating that their parents maintained the area. This was completed and signed under the duress of Mr Johns threatening to withdraw from the purchase if he couldn't have adverse possession rights on that verge, a statement that he included with the documents confirms this.

I will separately be taking up this matter with the Land Registry.