



indicative site layout which would entail the removal of a substantial number of trees on the site.

- 2.3 In view of the outline nature of the proposal, whilst listing the Landscape Strategy Plan as an approved plan, the resolution also imposed the following conditions:

*24 Notwithstanding any landscape strategy submitted, no development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.*

*The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.*

**Reason:** *To ensure the appearance of the development is satisfactory and having due regard to policies CS11, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*

*27 No tree removal shall take place on the site until a reserved matters application has been approved unless otherwise agreed in writing by the Local Planning Authority.*

**Reason:** *In order to manage the removal of unprotected and protected trees as part of the redevelopment of the site and having due regard to Policies DM8 and CS11 of the Havant Borough Local Plan (Core Strategy) 2011.*

- 2.4 Planning permission was granted for the hybrid application on 30<sup>th</sup> January 2019. To date no reserved matters application has been submitted, although ownership of the site has since transferred to Bargate Homes and Vivid, an affordable homes provider.

### **3 Proposal**

- 3.1 This report considers the application to fell a high number of trees (individual and groups) to facilitate the extant outline planning permission APP/17/00863, which are subject of a Tree Preservation Order (TPO) 1068.

- 3.2 The applicant provides the following reasoning for the application to be submitted now rather than for any tree works to await the determination of a reserved matter/discharge of condition submission pursuant to Conditions 24 and 27 of the outline permission:

*If the enabling tree removal works are not completed prior to bird nesting season 2021 the project will be delayed for at least 12 months, potentially longer if the specialist work force we have assembled has disbursed.*

*The commercial consequences of such delay will certainly result in the loss of the currently proposed 20% on site affordable housing allocation and potentially abort plans for the listed building which are underpinned by the viability of the development project as a whole.*

*Two additional trees at the site entrance need to be felled in order to achieve appropriate visibility splays for the S278 approval with the County Council.*

#### **4 Policy Considerations**

##### National Guidance

National Planning Policy Framework 2012  
Tree Protection Orders: A Guide to the law and good practice 2009 and addendum 2009/2012.

Havant Borough Local Plan (Core Strategy) 2011  
DM8 (Conservation, Protection and enhancement of Existing Natural Features)

#### **5 Statutory and Non Statutory Consultations**

None

#### **6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at Minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 3

Number of site notices: 1

Number of representations received: 1

One objection to the works has been received: *"This is a very large amount of trees to be felled and under a TPO. I believe the trees under the TPO should not be felled as the whole point of the TPO is to protect the trees."*

#### **7 Planning Considerations**

7.1 The main planning considerations arising from this application for the removal of the TPO trees are:

- (i) Amenity value and condition
- (ii) The basis for the proposed works

##### **(i) Amenity Value and Condition**

7.2 There are a high number of specimen trees which formed part of the historic parkland and garden. There is also a large amount of overgrown vegetation, including self-seeded trees as result of the grounds being unmanaged since the 1960's. Overall the trees make a strong contribution to the verdant and rural character of the site and provide a high level of screening from the adjoining road network.

7.3 Based purely on the arboricultural merits of the proposed large-scale felling, no justifiable reasoning for these works can be applied in relation to this application.

**(ii) The Basis for Proposed Works**

7.4 In response to officer queries regarding the timing of the proposed works in relation to the expectations of Conditions 24 and 27 of the outline permission (which do not allow for any tree felling until a reserved matters application has been approved), Vivid and Bargate Homes have advised as follows:

- They have been compiling the technical information in respect of pre-commencement works needed to execute the outline planning permission. This primarily comprises intrusive soil investigations to inform foundation design and to undertake groundwater monitoring over the winter period in order to inform the drainage strategy;
- In relation to the full detailed consent for the Listed Building conversion, none of the utilities serving the site are capable of servicing residential flats. The existing utilities apparatus needs to be dug up and removed. New utilities apparatus needs to be laid to service the listed buildings;
- In relation to the wider site a number of existing utilities apparatus either needs to be diverted or removed and then replaced by new infrastructure;
- All new utility infrastructure is required by utilities operators to be laid in a 2 metre wide trench;
- None of this work can take place with the trees in situ.

7.5 Vivid and Bargate Homes also point to the fact that the original Landscape Strategy Plan was listed as an approved plan in Planning Permission APP/17/00863, and they regard this to be relevant to the decision to be made on this application, notwithstanding Conditions 24 and 27 set out above. They also argue that as they are a known developer committed to the delivery of the site, this should weigh in favour of their case – the conditions being imposed on the outline permission at a time when the eventual developer of the site was not known.

7.6 As previously outlined the two additional trees at the site entrance need to be felled in order to achieve appropriate visibility splays for the S278 approval with the County Council.

**Summary of planning considerations**

7.7 The tree removal as outlined in the application is considered to be excessive and will have a detrimental impact on the verdant character of the site and to some degree the wider reaching street-scene, however there is an extant permission for development on site that will inevitably require a degree of tree removal to take place for facilitation and enablement purposes.

7.8 The proposed felling works have been highlighted as essential as part of the planning process to help deliver the site at the earliest opportunity, bringing benefits in terms of housing supply, listed building preservation and affordable housing provision, and on balance officers consider it would not be appropriate for the Council to refuse this

proposal.

## **8 Conclusion**

- 8.1 For the reasons discussed throughout this report and summarised in 7.7-7.8 above, it is recommended that the current application be permitted.

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### **RECOMMENDATIONS:**

That the Head of Neighbourhood Support be authorised to **GRANT CONSENT** for application APP/20/00757 subject to the following conditions:

- 1 The tree works for which consent is hereby granted shall not be carried out otherwise than in full accordance with all relevant content of BS 3998 (2010).  
**Reason:** In the interests of tree health and safety.
- 2 The tree works for which consent is hereby granted shall be carried out and completed no later than 22/10/2021.  
**Reason:** To control the timing of the works.

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### **Appendices:**

- (A) Site Location Plan
- (B) Aerial Photograph
- (C) Schedule accompanying plan 20122-BT1
- (D1) Arboricultural Method Statement Plan North
- (D2) Arboricultural Method Statement Plan South
- (E1) Site Photographs Views along Horndean Road
- (E2) Site Photographs Views along Bartons Road
- (E3) Site Photographs Views along Eastleigh Road
- (E4) Site Photographs Entrance to Southleigh Park House
- (F) APP/17/00863 – Landscape Strategy Plan