

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

**STATEMENT OF
HAVANT BOROUGH COUNCIL**

27A Queens Road, Waterloooville, PO7 7SB

**Local Planning Authority Reference:
APP/21/01110**

Planning Inspectorate Reference:

APP/X1735/W/22/330048

HAVANT BOROUGH COUNCIL



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY MR NORRIS AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR THE ERECTION OF A TWO CAR GARAGE WITH DORMER WINDOW AND STORAGE ROOM OVER TO THE AREA TO THE FRONT OF THE HOUSE AT 27A QUEENS ROAD ; CONSTRUCTION OF ACCESS DRIVEWAY TO THE GARAGES COMING OFF THE EXISTING SPINE ROADWAY SERVING THE HOUSE .

**Planning Inspectorate Reference: APP/X1735/W/22/330048
LPA REF: APP/21/01110**

1.0 THE APPEAL SITE AND ITS SURROUNDINGS

- 1.1 This application site comprises a two storey detached dwellinghouse located on the south west side of Queens Road, Waterlooville accessible via a private road leading off Queens Road. This property has a hipped roof with brickwork and timber cladding to the elevations. At ground floor level is a double garage and the boundary remains open to the private road where the road culminates with the neighbouring property located to the west. The land subject to this proposal is a plot of land opposite no 27A where there is currently a small glade of trees.
- 1.2 The application property is one of three properties, nos 27, 27a and 27b all approved planning permission in 2007 under planning reference 07/55343/003 and all accessed via the same private road. These properties are detached, two storey dwellings , each property is different in design.
- 1.3 The three properties are surrounded by trees, notably areas of TPO woodland to the east and west but also encroaching to the north and south. This includes a variation of tree species including Common Beech, Scots Pine, Silver Birch , Common Ash , Common Yew and Holly . There are also several TPO trees to the north of no 27A and 27B. These include a Maple and a Veteran Common Oak directly to the north of the garage proposal site , to the east of that a Silver Birch and another Common Oak and further to the east two Western Red Cedar Trees. There are also 3 Yew Trees which are TPO protected and form part of an area of ancient and semi-natural woodland directly to the north of the garage proposal site.

2.0 PLANNING HISTORY

07/55343/002 Demolish existing house and erect 3No. detached houses.(REF)

07/55343/003 Demolish existing house and erect 3No. detached houses. (Revised

application). Felling of 4No. trees subject to TPO 1629 and Woodland 1 of TPO 1629. (PERM)

07/55343/003 Discharge of Conditions No's 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 & 17 of Planning Permission 07/55343/003.

APP/10/00865 Application for Non-Material Changes to Planning Permission 07/55343/003 relating to external chimney (Plot 2) and changes to chimney, balcony and garage doors (Plot 3).

APP/13/00205 - Tree works, UNK,

APP/13/00301 - Fell 1No. Maple (T5) and removal of lowest lateral branch to South West sector of 1No. Oak (T4); both trees subject to TPO 1629., PERM,09/05/2013

APP/14/01053 - Request for written confirmation that conditions 18 and 19 of Planning Permission 07/55343/003 have been discharged., UNK,

APP/21/00173 - Cut back 5No. branches of 1No. Yew (T2) on southern sector by 3m leaving a spread of 14m. Subject to TPO 1629., PERM,28/04/2021

3.0 THE APPLICATION

3.1 The application the subject of this appeal was submitted on the 21ST October 2021 Consultations were carried out and a response received from the Council's Arboricultural Officer .

3.2 The application was subsequently refused for the following reason:

1. *The siting and close proximity of the proposed development would result in potential damage to TPO and veteran trees and ancient woodland important in the local landscape . The siting of the development within the root protection area of these trees would be putting at undue risk the long term conservation of the trees. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*

3.3 The Officer report is attached at APPENDIX E and sets out in detail the planning considerations relevant to the case.

4.0 PLANNING POLICIES

National Policy

4.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Local Planning Policy

- 4.2 Havant Borough Local Plan (Core Strategy) March 2011 policies DM8 (Conservation, Protection and Enhancement of Existing Natural Features), CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) and CS16 (High Quality Design) are considered particularly relevant to this appeal.
- 4.3 Havant Borough Council Borough Design Guide SPD December 2011 sets out relevant design considerations in relation to planning applications and existing natural features such as trees .
- 4.4 Natural England and Forestry Commission ‘standing advice’
- 4.5 The relevance of the policies and guidance is considered further in part 6 of this Appeal Statement.

5.0 REPRESENTATIONS

- 5.1 No representations have been received in relation to this proposal.

6.0 PLANNING CONSIDERATIONS

- 6.1 The attached officers report (**APPENDIX E**) sets out the position of the Local Planning Authority in detail and the following comments are provided by way of amplification.
- 6.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan (the Core Strategy and the Allocations Plan), unless material considerations indicate otherwise.

Reason for Refusal

- 6.3 In relation to the reason for refusal the NPPF in part 15 relates to Conserving and enhancing the natural environment. It is very clear when it states in paragraph 180 c)
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;*
- 6.4 Paragraph 74 b) considers and recognises the importance of conserving natural features including trees
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and*

other benefits of the best and most versatile agricultural land, and of trees and woodland;

- 6.5 Policy CS16 'High Quality Design' of the Havant Borough Local Plan states that:

Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;

- 6.6 Policy CS11 'Protecting and Enhancing the Special Environment and Heritage of Havant Borough' of the Havant Borough Local Plan states that :

Planning permission will be granted for development that:

Has particular regard to the following hierarchy of nature conservation designations within the borough (as identified on the Proposals Map): (i) Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar [International]. (ii) Sites of Special Scientific Interest (SSSI) and National Nature Reserves [National]. (iii) Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), other Ancient Woodland not identified in (ii) above [Local].

- 6.7 Policy DM8 'Conservation, Protection and Enhancement of Existing Natural Features' of the Havant Borough Local Plan states that :

Development will only be permitted where it protects and enhances local habitats and landscape distinctiveness and which addresses all of the relevant criteria as set out below:

1. Protects natural features of nature conservation and/or amenity importance on the site, for example trees, woodlands, hedgerows, soils, streams, stream corridors, springs, ditches or ponds from damage, destruction and a deterioration in quality.

- 6.8 Natural England and Forestry Commission 'standing advice' states that

When making planning decisions, you should consider:

- conserving and enhancing biodiversity*
- avoiding and reducing the level of impact of the proposed development on ancient woodland and ancient and veteran trees*

- 6.9

You should refuse planning permission if development will result in the loss or deterioration of ancient woodland, ancient trees and veteran trees unless both of the following applies:

- there are wholly exceptional reasons*
- there's a suitable compensation strategy in place (this must not be a part of considerations of wholly exceptional reasons) - see paragraphs 33 and*

You should make decisions in line with paragraph 180 (c) of the NPPF.

Ancient woodland, ancient trees and veteran trees are irreplaceable. Therefore, you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal.

6.10 To avoid repetition, the attached Officer's report (**APPENDIX E**) sets out in detail the planning position of the Local Planning Authority (LPA) in respect of the appeal. The appellants appeal submission states that no pruning would take place as a result of this proposal however the council considers that an adequate buffer between the canopy and the garage would not be retained. The appeal submission also states that the context of the site was not properly considered by the council noting the debris from previous construction in the vicinity. The Council's Arboricultural Officer was aware of this at this at the time of the application and undertook visits to site to view this. The Arboricultural Officer did not consider this to be adequate reasoning to allow for increased potential harm to the protected trees. The appeal submission also states that other developments have taken place within close proximity of protected trees. It is noted that none of these developments have been sited within such close proximity to a veteran oak tree. No 27 is also sited further away from this cluster of highly protected trees. The proposed garage is sited within the RPA of multiple trees including 3 Category A 'high quality' trees. The potential harm to these trees is therefore justification for the refusal of this application.

A map is included in **Appendix D** to demonstrate trees on and surrounding the site.

6.11

7.0 **CONCLUSION**

7.1 The siting and close proximity of the proposed development would result in potential damage to TPO and veteran trees as well as ancient woodland important in the local landscape. These trees are considered to be irreplaceable and highly sensitive. The siting of the development within the root protection area of these trees would be putting at undue risk the long term conservation of these trees. This proposal is therefore contrary to Policies CS16, CS11 and DM8 and of the Havant Local Plan (Core Strategy 2011) and the National Planning Policy Framework. The inspector is therefore respectfully requested to dismiss this appeal.

APPENDICES

APPENDIX A – Borough map

APPENDIX B – Location map

APPENDIX C – Decision notice for APP/21/01110

APPENDIX D – Map

APPENDIX E – Officers report

Appendix A

Borough of Havant



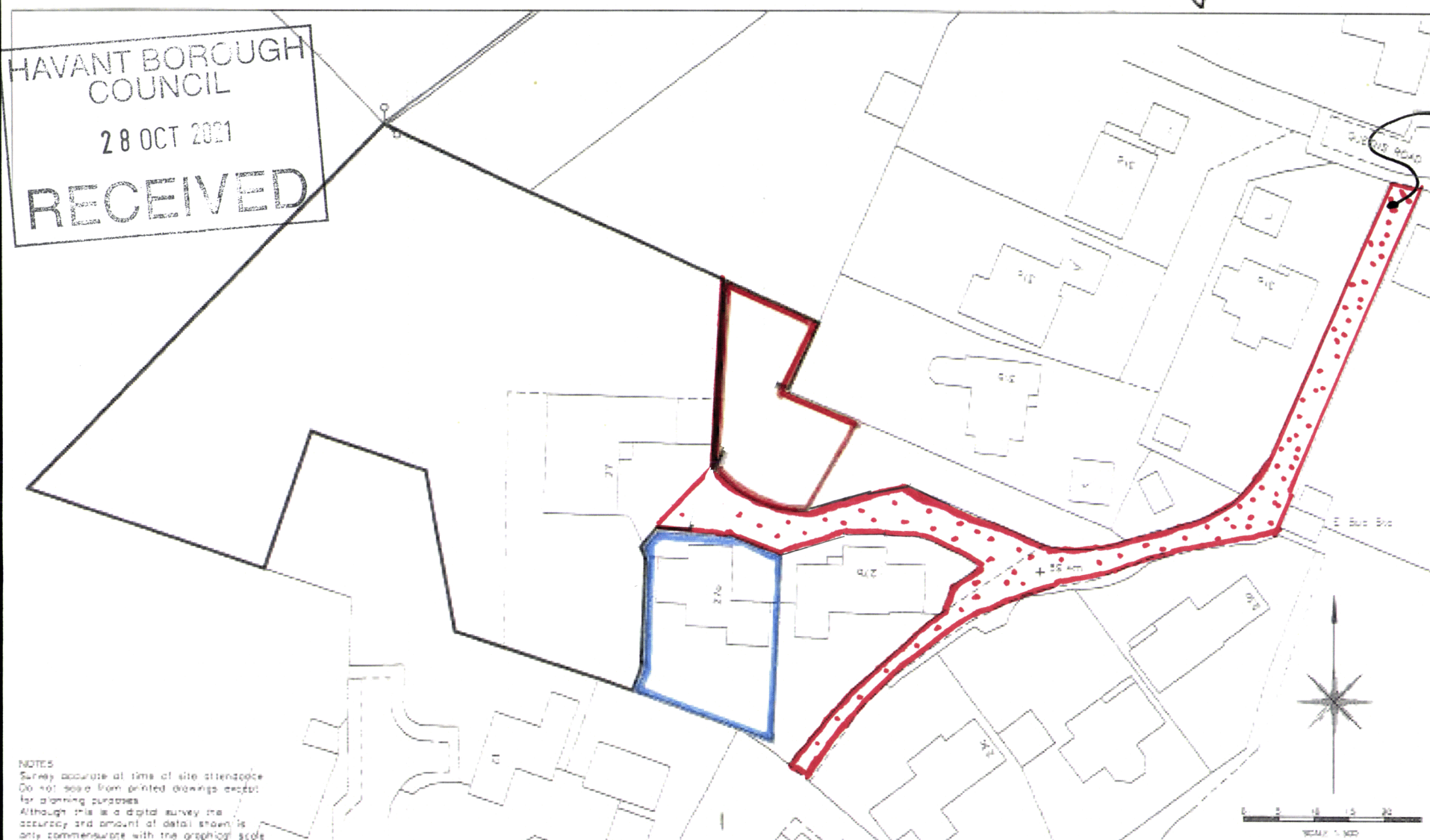
- Main Retail/Commercial/Office Areas
- Urban Areas
- Industrial Areas
- Open Space/Recreation
- Borough Boundary

Appendix B

1:500 - Ordnance Survey License Nr: 1000224
32

HAVANT BOROUGH
COUNCIL
28 OCT 2021
RECEIVED

Rev A: 26.10.2021
Access Road
shading added
in Red Dot
shading to Red
Border



NOTES
Survey accurate at time of site attendance.
Do not scale from printed drawings except
for planning purposes.
Although this is a digital survey the
accuracy and amount of detail shown is
only commensurate with the graphical scale
of mapping as specified. Care should be
exercised when working to larger scales.

ORDNANCE MAP
Ordnance Survey (c) Crown Copyright 2020
All rights reserved. Licence number
100022432

National Grid 1,2500 (Accuracy data)
Surveying tolerances:
Distances up to 200 metres $\pm 100\text{mm}$
Distances 200 to 1,000 metres $\pm 1\text{m}$

PROJECT 27A	Queen's Road, Waterfalls
CLIENT:	Martin Nara
PROJECT NO:	27A
DATE:	September 2020
SCALE:	1:500 @A3
DWG NO:	R01
REV:	-

Appendix C

To:
Mr Norris
27A Queens Road
Waterlooville
PO7 7SB

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015
Refusal of Planning Permission**

Application Number: APP/21/01110

Site Address: 27A Queens Road, Waterlooville, PO7 7SB

Proposal: Erection of a two car garage with dormer window and storage room over to the area to the garden area to the front of the house at 27A Queens Road; construction of access driveway to the garages coming off the existing spine roadway serving the house.

Further to your application received on 30 September 2021, which was valid from 28 October 2021 Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

The reason for the Council's decision to refuse planning permission is:

- 1 The siting and close proximity of the proposed development would result in potential damage to TPO and veteran trees and ancient woodland important in the local landscape. The siting of the development within the root protection area of these trees would be putting at undue risk the long term conservation of the trees. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

In coming to its decision the Council considered plans and other documents submitted with regard to your application and the relevant policies of the Havant Borough Local Plan and other planning policy documents including the National Planning Policy Framework.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.

Our Ref: APP/21/01110

- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs
- (3) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
- Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You were updated about issues after the initial site visit,

Your application is considered unacceptable for the reasons set out in this Decision Notice.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

16 March 2022

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.**
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

Our Ref: APP/21/01110

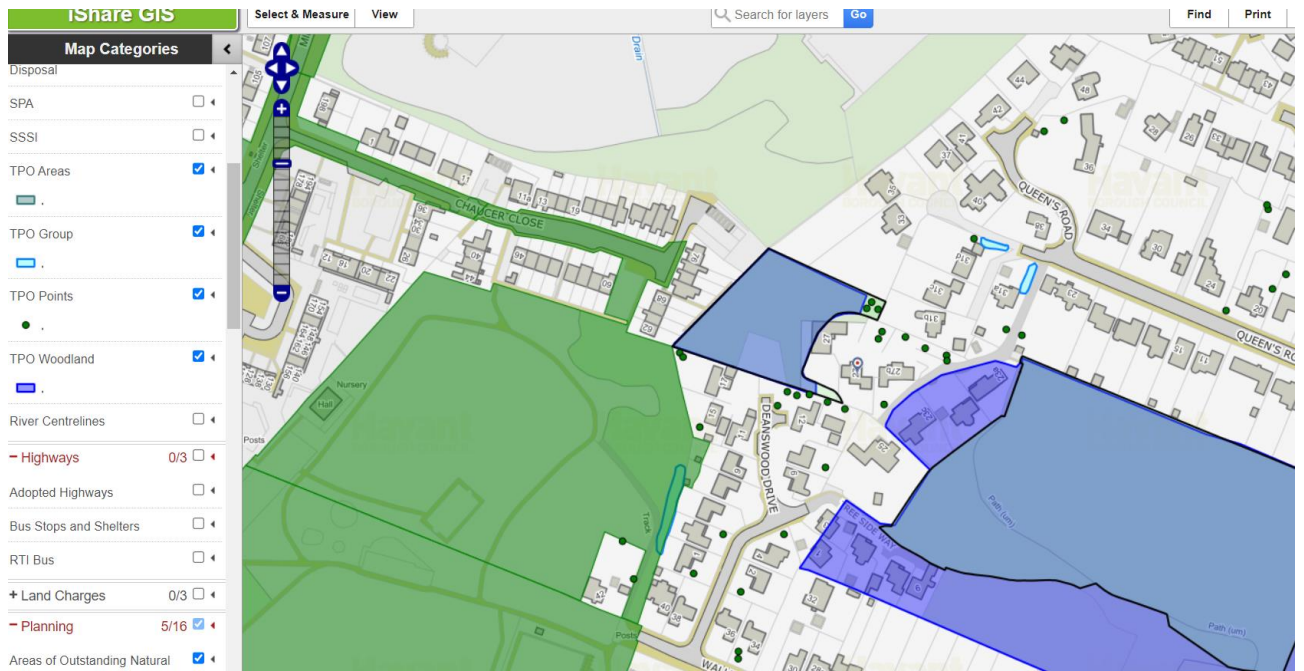
IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

023 9244 6571

Appendix D



Appendix E

4 **Policy Considerations**

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16 (High Quality Design)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Submission Version Havant Local Plan

E1* (High quality design)

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Arboriculturalist

Objection is raised to this proposal. Since visiting I have discovered that the area of land where the Yew trees are located is within an area designated as ancient and semi natural woodland therefore there should be no development within the Root Protection Area of these trees and there should also be an adequate buffer from the edge of the canopies. The applicant's consultant has also commented that the mature Oak tree subject to TPO is a veteran, and as such there should also be no development within this important Oak tree's RPA.

Case Officer comment : Additional comments following submission of additional information by the applicant -

I have now had a chance to read over the additional information and re-visit the site. While I note that there has already been construction of a swimming pool and associated paving within the area proposed for the garage I don't believe this provides sufficient mitigation to build within the RPA of a veteran Oak tree, which was highlighted by Martin Dobson Associates within their report and which the Council agrees with this classification. There is also the issue with building within the RPA of TPO'd Yew trees which are shown to be within an area of ancient and semi natural woodland on the Natural England Inventory.

The NPPF clearly states that "*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons*"

Even without these additional constraints I feel the garage will be in such close proximity the Oak and the Yews that I feel it may cause undue damage and pressure to prune these trees in the future even with pile and beam foundations used. The height of the proposed garage will also require pruning of the Yew trees. The site is not level so there will no doubt be level changes required within the RPA of the trees. I note that the applicant has suggested bringing the garage forward of the Yews but this is still going to be wholly within the RPA of the Oak tree.

For the reasons stated I cannot support this application and continue to object to the proposal.

Councillor Gwen Robinson

No comment

Councillor Mike Sceal

No comment

Councillor Peter Wade

No comment

Portsmouth Water Company

Thank you for consulting Portsmouth Water on this application- we have no adverse comments to make on this application from a groundwater quality perspective due to its small nature and minimal excavation works.

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: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
No comments received	

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Trees

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

7.3 This proposal seeks to construct a garage with parking at the lower level and a room with storage at first floor level. The applicant has confirmed the use of the garage would be for storage and vehicle parking.

(ii) Appropriateness of design and impact on the character of the area

7.4 This proposal comprises a garage sited opposite the main property. The garage would have a pitched roof with a pitched roof dormer to the front elevation. The first floor would be accessed via an external stairwell located to the side (east) supported on posts and would be open plan served by the dormer window. The ground floor would allow for two parking spaces and would be supported on posts to the front (south elevation) and left open. To the rear would be a set of doors and a door also to the east side at ground floor level. Proposed materials comprise of brickwork and cladding both to match the main dwelling. The application form states all other finishes to match the existing dwelling.

7.5 The garage would be located in a quiet cul-de-sac where nos 27, 27a and 27b are located to the south and west of the private road and the outbuilding would be sited to the north of that on an area of land currently laid to lawn. This section of land is owned by the applicant and certificate B has been served on the surrounding properties who may have an interest in the land. The garage would have a total height set at two storey level with a depth of approximately 9.8 metres, a ridge height of 6.3 metres and a width of approximately 7 metres. This would result in a fairly large garage in terms of scale although it is noted the surrounding properties also have a reasonably large footprint and therefore within this context the scale is not considered to be particularly out of keeping. The applicant has confirmed the use would be for personal use and not as a separate dwelling as the site would not be appropriate in use as such. The design of the garage is judged to be in keeping with the properties in the cul de sac and is not deemed to result in harm to the character of the area.

7.6 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.7 The garage would be located opposite the host dwelling, no 27a and no 27b adjacent . The front dormer facing south would offer views back towards the host dwelling and indirectly back towards no 27b . There would be a separation distance of approximately 20 metres between the garage and no 27b which meets the minimum separation distance as specified in the Havant Borough Design Guide.
- 7.8 To the west of the garage is no 27 where the building line projects forward with a garage at ground floor level and what appears to be storage room window at first floor level as shown on the planning history. There would be approximately 6 metres separation distance between this window and the garage and whilst the garage forms a full gable on this side, the set off is considered to be acceptable so as not to harmfully impact light to this room which already experiences some overshadowing from the trees to the east.
- 7.9 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) Trees

- 7.10 The site is located within very close proximity to a group of protected trees. Notably this includes ancient and semi-natural woodland located to the north (rear) of the proposed garage site, 3 TPO common yew trees , a veteran TPO oak tree and a TPO field maple. The applicant has supplied tree protection plans including a Tree Protection Plan, Tree Constraints Plan and Arboricultural Impact Assessment. The garage would come within very close proximity of the yew trees (approximately within 3 metres) and oak tree (approximately 2 metres) , situated within the RPA of all three trees. The Council's Arboricultural Officer has been consulted on this proposal and the submitted arboricultural plans. The Arboricultural Officer has visited the site and has raised concerns in relation to the very close proximity to the protected trees and objects to any development within the RPA of the veteran oak tree. It is noted that there previously had been a swimming pool close to the site , with remnants of paving and debris in the ground. This has been taken into consideration and is not deemed to mitigate the potential damage of further development to the veteran oak tree and ancient woodland including the yew trees. The necessary levelling of the ground and pruning of the trees alongside the potential damage caused by the close proximity is considered to result in harm to these protected trees and therefore this is justified as a reason for refusal.
- 7.11 The moving of the outbuilding forward has also been suggested by the applicant however this is not considered to be satisfactory mitigation as this would still be sited within the RPA of the veteran oak tree.

8 **Conclusion**

- 8.1 The siting and close proximity of the proposed development would result in potential damage to TPO and veteran trees and ancient woodland important in the local landscape . The siting of the development within the root protection area of these trees would be putting at undue risk the long term conservation of the trees. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
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9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/21/01110 for the following reasons

- 1 The siting and close proximity of the proposed development would result in potential damage to TPO and veteran trees and ancient woodland important in the local landscape . The siting of the development within the root protection area of these trees would be putting at undue risk the long term conservation of the trees. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.