
Site Address: Borrow Day Centre, London Road, Cowplain, Waterlooville,
PO8 8DB
Proposal: Fell two Oak trees (T1 & T2) subject to TPO 1018.
Application Type: Works to TPO Tree
Application No: APP/24/00136 Expiry Date: 16/04/2024
Applicant: Mr Thomas
Agent: Mr Thomas Case Officer: Tree Officer
Ward: Cowplain

Recommendation: **GRANT TPO CONSENT**

1 Site Description

Borrow Day Centre, London Road, Cowplain, Waterlooville, PO8 8DB

2 Planning History

01/60101/000 - Extension to south, incorporating new entrance, toilet accommodation and storage., PERM,15/02/2001
03/60101/001 - Single storey extension to south west of existing centre with new entrance porch to south east elevation., PERM,03/07/2003
GEN/13/00469 - Two Oaks on site., ,29/05/2013
GEN/14/00433 - Proposed erection of war memorial within grounds., UNK,
APP/16/00930 - Crown reduce by 3m on southern and western sectors 2No. Oak trees subject to TPO 1018., WD,10/10/2016
APP/16/01039 - Crown reduce by 3m on northern and eastern sectors 2No. Oak trees subject to TPO 1018., PERM,08/11/2016
APP/22/01050 - Fell 2No. Oak trees (T1 and T2) subject to TPO 1018.,
REF,03/02/2023

3 Proposal

Fell two Oak trees (T1 & T2) subject to TPO 1018.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

Councillor Andrew Briggs

Councillor D Keast - Cowplain

Councillor Neil Bowdell - Cowplain

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: 10

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 6

Comment	Officer Comment
Support for the felling of trees T1 & T2 subject to TPO-1018 [redacted]	The comments received are welcomed and considered within the planning considerations.
I am really disappointed that these 2 beautiful trees will be destroyed & the birds & animals that use them will be affected. . How coincidental that the previous application to fell them simply due to over shading by the owner of the adjacent house (who was somehow applying in behalf of the	The comments received are welcomed and considered within the planning considerations.

Borrow Centre) was declined & then suddenly they become a risk to the property! My understanding is that the removal of the tree & root collapse is likely to cause even more problems ? They stand alone at the top of Cowplain & are yet more mature trees in the area to be chopped down until we are left with nothing but buildings outside of Queens enclosure.	
I strongly appose the felling of valuable trees in our neighbourhood, to use the carbon cost (all estimated) is a very weak justification. Who ever erected the building should have done a far better job in planning and designing the building. Oak tree T1 & T2 would have been fully established when the Borrow Day building was considered. It would appear no root barriers were installed that have a significant effect on controlling root propagation. I feel it is unacceptable to make the whole neighbourhood pay for the short sightedness of officials / professionals	The comments received are welcomed and considered within the planning considerations.
It is clear the property owner is using various means to have these beautiful trees felled. See previous application. These trees provide a significant aesthetic appeal to the area and have been in that location long before the property was built. Most of Waterloo and Cowplain are covered in heavy clay which will expand and shrink depending on weather conditions. The high weather heat last year had significant consequences across the area with large cracks appearing in houses including mine. This climate change alongside significant rainfall will impact on house movement. What evidence is there that this property's cracks are down to the tree and not the type of soil and whether the UK and world are experiencing due to climate change? Removal of these trees will add to the increase in CO2 - each tree can be expected to remove 25kg per year - times this by 100 years equals 2500kg	The comments received are welcomed and considered within the planning considerations.

of CO2 removal per tree. How would this increase in CO2 be mitigated by the house owner? These trees have been apart of the community long before this property was built. Therefore, the obvious solution to mitigate the potential risk to this property from these trees is regular pruning- not removal. Removal may in fact impact further on the property as there is an element of water removal from the soil which if kept pruned can be managed and regulated as identified in the owner paid arboretum report. There is insufficient natural landscapes around waterlooville and complain and the removal of these trees alongside any others in the area has the impact of making the area a suburb of the city instead of individual towns. Removal of the trees will not remedy any potential risk (not proven risk) to this property but will impact on the increase in CO2 emissions.	
Support for the felling of trees T1 & T2 subject toTPO-1018 [redacted] fully support the felling of oak trees T1 & T2 subject to TPO1018. This is not done lightly, but when people and properties are at risk, this does need to be addressed. We assume that when the doctors' surgery was converted to the three bungalows back in 2015 the council gave planning permission and it has been suggested that if there was any problems in any way if the felling of oak trees T1 & T2 was refused then Regulation 24 would come into effect. This states that if a person establishes loss or damage that has been caused or incurred in consequence of the refusal of any planning consent under the Regulations, then that person shall, subject to other factors, be entitled to compensation from the authority.	The comments received are welcomed and considered within the planning considerations.

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:

- Whether the degree of works is reasonable given the potential liability for the council associated with a damage claim
- Whether the supporting evidence is sufficiently robust to warrant the removal of healthy trees without further investigation

7.2 The report relates specifically to assessing the proposed works rather than generally inspecting the tree's health and condition in any great detail.

7.3 The application trees are highly visible from Padnell Avenue and the busy A3. They are large trees, visible on the skyline. Their protection is warranted.

7.4 The reasons for the removal of the tree, provided by the applicant, is due to damage to a neighbouring property at 2c Padnell Avenue as evidenced by supplied reports.

7.5 When submitting an application for works to a protected tree the applicant or agent should submit appropriate evidence describing any structural damage to the property or issues in relation to tree health and safety.

7.6 The government guidance note (available to view at [Tree Preservation Orders and trees in conservation areas - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/tree-preservation-orders-and-trees-in-conservation-areas)) recommends that issues of subsidence will include a report by a structural engineer and /or a chartered surveyor and be supported by technical analysis from other experts e.g. root and soil analysis.

7.7 The evidence provided includes the presence of shrinkable clay soils, live oak tree roots and seasonal movement. This is substantive enough to evidence the high probability of tree related indirect damage to the property. It is undoubtedly exacerbated by the changing climate and hot dry summers. To refuse the removal of the trees would potentially expose the council to future claims, which can be very high in subsidence - related cases. For this reason, I feel there is little option but to allow their removal.

8 Conclusion

It is recommended that the works to the trees should be consented.

9 **RECOMMENDATION:**

That the Executive Head of Place be authorised to **GRANT TPO CONSENT** for application APP/24/00136

(A)

(B) for the following reasons/subject to the following conditions

1

In the first planting season following the date of felling 2 replacement trees are planted. The trees should be a minimum of 1.5 metres tall at the time of planting (nursery stock 10/12 size) and should be planted in line with BS8545:2014. They should be planted at or near the site of the existing trees, or preferably to the frontage of Padnell Road where the amenity will be of high public benefit.

The trees should be selected from LOW WATER demand species as defined by the NHBC standards at paragraph 4.2.4 which includes the following species:

1. Birch - *Betula pendula*
2. Magnolia – many cultivars
2. Mulberry - *Morus nigra* - good for wildlife, don't plant over hard surfacing because of fruit
3. Tulip tree – *Liriodendron tulipifera*

or such other size, species, location or period of time as may be agreed in writing with the Council.

It is recommended that these trees are planted to the frontage of the applicant address to

If within a period of three years any tree planted as a replacement is cut down, felled, uprooted, removed, or die, or becomes in the opinion of the Council seriously damaged or defective:

- a) the Council shall be notified as soon as is reasonably practicable; and
- b) another tree of the same species and size shall be planted in the same location at a time agreed in writing with the Council unless the Council agrees to dispense with or vary the requirement.

Reason: To conserve and safeguard the visual amenities of the locality.

2

The tree felling for which consent is hereby granted and the replacement planting specified in condition Jo6 above shall be completed no later than March 2025 or the first planting season after felling if this is later.

Reason: To conserve and safeguard the visual amenities of the locality.

3

The tree works for which consent is hereby granted shall be carried out and completed no later than one year from the date of this decision notice.

Reason: To control the timing of the works.