

Eastleigh Borough Council Tree Preservation Order and Conservation Area Assessment Form

Application Number	NC/26/100982				
Surveyor	AM				
Address	OYSTER COTTAGE, THE GREEN, GREEN LANE, HAMBLE-LE-RICE, SOUTHAMPTON, SO31 4JB				
Proposed work	1no. Magnolia (T1) - Fell to ground level due to proximity to the property, drains have been damaged. This follows on from another application submitted PD/26/100733. Disagree about re-planting another tree in the flower bed as this will do damage to the wall in the future. There is already a Bay tree out the front which is maintained and would be better kept as a flower bed and not with a tree as drains also run through that flower bed.				
Assessment Date	23/3/26				
Officer comments	Magnolia grandiflora in small front garden, immediately adjacent to road. Tree has been unsympathetically hacked back to the stem and has a small amount of scruffy regrowth. Our consideration is to whether this tree merits TPO; it doesn't. As such, we can only raise no objection to its felling. For information, we cannot require a replacement tree in these circumstances. It is not possible to impose conditions on Conservation Area notices and there is no legal duty to replant.				
Decision	Consent	Refuse	Part consent/ Part refuse	Withdrawn / Invalid	Conservation Area
					Raise no objection
					X
Decision notice	NO OBJECTION: 1no. Magnolia (T1) - Fell				
Conditions					
Notes to applicant	N/A				
Parish comments	None.				
Public objection/ support	Support	Objection	Observation		
	2	0	0		
Objection/ support consideration	Public comment 1: We have lived opposite Oyster Cottage for nearly five years. I have noticed this tree in this time, increasingly pushing against the house and most likely damaging drainage and even the foundations, let alone the roof.				

	I fully support the removal of this tree, as the listed house is more important than a fast growing, most likely self seeded Magnolia. The tree should not be replaced at this location. Public comment 2: Our cottage is situated adjacent to Oyster Cottage, and we share the same outlook as the owner of Oyster Cottage. We fully support the application to fell one Magnolia tree (T1) to ground level due to its close proximity to the property and the confirmed damage it has caused to the drainage system. We strongly disagree with any proposal to re plant another tree within the same flower bed. Planting a replacement tree in this location would pose a significant risk of future damage to the existing drains and to the boundary wall. The drainage system serves not only this property but also other cottages connected to the same network, and further root growth could result in repeated and costly damage. There is already a well maintained bay tree located at the front of the property, which provides sufficient planting and visual amenity. In addition, increasing storm frequency must be taken into account. We have already witnessed trees falling during severe weather, which can damage roads and pose a risk of injury. Permanently removing the magnolia tree and preventing further tree planting in this area will help eliminate these risks and improve safety for the property and surrounding area. AM response: Both comments are noted and have been considered. I have not investigated whether the existing tree has affected underground services nor whether replanting would pose an unacceptable risk to the same.
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