

Eastleigh Borough Council Tree Preservation Order and Conservation Area Assessment Form

Application Number	T/25/99970
Surveyor	AM
Address	PORT HAMBLE MARINA, SATCHELL LANE, HAMBLE-LE-RICE, SOUTHAMPTON, SO31 4NN
Proposed work	Works as per SotonTreeCare report, dated 2 nd August 2025
Assessment Date	14 th July 2025
Officer comments	Summary of protection status: G1 - cypress - <u>not protected</u> G2 - oaks – protected by TPO 222, confirmed 1st November 1991. G3 - bamboo/conifer - <u>not protected</u> T1 - poplar - <u>not protected</u> T2 - oak – protected by TPO 470, confirmed 4th March 2004. T3 - ash - <u>not protected</u> T4 - sycamore – protected by TPO 618, confirmed 4th September 2008 T5 - oak –protected by TPO 618, confirmed 4th September 2008 T6 - oak – protected by TPO 618, confirmed 4th September 2008 T7 - beech – protected by TPO 618, confirmed 4th September 2008 G4 - ash and oak – <u>not protected</u> G5 - oaks – protected by TPO 618, confirmed 4th September 2008 T8 - oak - protected by TPO 618, confirmed 4th September 2008 T9 - oak - protected by TPO 618, confirmed 4th September 2008. Hamble Conservation Area protects trees south of the site, within Crowsport. In the case of on/off-site trees G1, G3, T1 and the ash in G4, these are <u>not protected</u> therefore they are not considered within this application. Common law rights apply in the situation of any of these trees that may originate from neighbouring properties. G1 Conifers – Not protected. For information only. Common law rights apply. G2 Oaks – Group of off-site oaks in rear garden/east boundary of Tanglewood/56 Satchell Lane. The proposed crownlift is incredibly high, similar height to the roof of the adjacent warehouses. No indication of the type of plant/vehicles has been given within application. This is an abnormally high height to crownlift to, particularly as the crowns are already at around 6m above ground level (save for a small number of stem epicormics). It would

	entail the removal of primary branches, be disfiguring and contrary to the recommendations of BS3998:2010. In the absence of any further explanation/justification, this should be refused permission. G3 Bamboo and conifers – Not protected. For information only. Common law rights apply. T1 Poplar – Not protected. For information only. Lombardy-type poplar in neighbouring garden. Previously topped. Common law rights apply. T2 Oak – Estimated by eye to be 16-18m tall, 1m dbh, 18m wide crown. Branch tips hang to around 3m above access. Has historic tear-out wound on stem from 2m above ground level. Proposal is to crownlift to 8m and to reduce the crown by 3m <i>to reduce sail</i>. No advice has been given as to why the sail should be reduced. No mention within the application about the tear-out nor its implications on the structure of the tree, if any. Crownlift to 8m is excessive. Crown reduction not justified. Refuse permission for these. Grant 6m crownlift over access only. T3 Ash – Not protected. For information only. T4 Sycamore – Twin stemmed, roughly 50cm dbh each. Crownlift to 6m would remove a small number of well-established stem epicormics which will be tolerated by the tree. Grant. T5 Oak – Estimated by eye to be 15m tall x 50cm dbh. Mature oak with naturally adopted lean and asymmetric crown biased to east/warehouse. Tips within close proximity. Possibly topped at approx. 7-8m above ground in distant past. Normal vitality. Proposal is undecided... proposes fell or reduce by 3m. Neither justified. Can be cut back from building to provide 2m clearance. T6 Oak – Proposal is to reduce eastern side by 3m to clear the building. Branch tips are approx. 2.5-3.0m from nearest corner of building. Reduction of entire eastern side is excessive so should be refused. T7 Beech – Removal of dead branches is exempt from application and may be carried out at any time. Proposal to reduce eastern side by 3m and crownlift to 8m to allow clearance of building and vehicles seems excessive when there is only a recycling bin beneath the (estimated) 6m high crown. Branch tips are approx. 3-4m from nearest corner of building so seems plenty of clearance. Refuse. G4 Ash and Oak – Not protected. Proposal is to crownlift to 3m. Minor work, inconsequential to tree health and amenity.
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G5 Group of 4 oaks – Specification is to crownlift **by** 5m. Not **to** 5m. The lowest branches are mostly stem epicormics but lifting from the existing height by a further 5m over a car park is again excessive. Crownlift **to** 5m is acceptable.

G5 – “third oak in group” – Proposed to be felled due to presence of *Ganoderma* (species unidentified) which *suggests* that the tree is compromised as *Ganoderma* feeds on dying wood. Also that the canopy is in decline, with lots of deadwood. Very limited information. No evidence of decay detection having been carried out. Limited identification of bracket or its significance. Despite this, it is apparent from a basic inspection that the felling of the tree can be permitted; the tree is clearly under physiological stress, having had compacted, crushed stone built up to the root collar. The crown of this tree (and indeed its neighbours) show obvious signs of physiological stress, indicative of an inhospitable rooting environment. A bracket of *Ganoderma resinaceum* is growing from the south side of root collar. This species of fungus decays the heartwood within the butt and buttress roots. It can also colonise dysfunctional sapwood. There is no adaptive growth that would suggest the tree is responding to structural weaknesses and the poor physiological condition of the crown makes this unlikely to change. There is extensive black bleeding around the butt indicative of dysfunctional cambium and sapwood. Upon tapping the butt with a mallet, decay and dysfunction is clearly audible and not confined to the wood around the bracket. There is a foreseeable risk of whole tree failure. As such, despite the limited supporting information the application, the felling of this tree should be permitted. Replacement planting will be required.

T8 – Remove dead branches from an oak – This is exempt from application and can be carried out at any time without notice.

T9 – Oak north-east corner of garden of 11 Crowsport. Proposal is “*Raise canopy of toilet block*”. The specification is poorly written. I assume it intends to crownlift over the toilet block, to an unspecified height. Branch tips hang to approx. 1m above the toilet block. This seems ample clearance. As such, no further crownlift will be acceptable.

The majority of the proposed work items are excessive and have not been adequately justified. As such, the application should be determined as a split decision.

Please be advised that many of the objections relate to public consultations; many neighbours did not receive notification of the application nor were site notices placed. There is no statutory requirement to notify the public of TPO applications nor a statutory consultation period. I understand that only a small

	number of neighbours (the two Crowsport properties immediately adjacent to the site, Tanglefoot, the presumed owner of G2) were initially notified but that site notices were placed at the junction of Satchell Lane/Oakwood Way and at the entrance to the Marina. We received comments from the majority of other properties immediately adjacent to the site and these have been considered as part of the decision-making process.					
Decision	Consent	Refuse	Part consent/ Part refuse	Withdrawn / Invalid	Conservation Area	
					Raise no objection	TPO
			X			
Decision notice	The Council REFUSES PERMISSION for the following work: G2 Oaks – Raise canopy to 10m to allow clearance for vehicles and plant T2 Oak - Raise canopy to 8m to allow clearance for vehicles and plant. Reduce canopy by 3m to reduce sail T5 Oak – Fell or reduce by 3m T6 Oak – Reduce eastern side by 3m to allow clearance from building T7 Beech - Reduce eastern side by 3m and crown raise by 8m to allow clearance of building and vehicles G5 4no. Oaks – Raise canopy BY 5m. Reduce first oak by 3m on northern side to allow clearance from building T9 Oak – Raise canopy of toilet block. REASONS FOR REFUSAL: 1. The proposed work is excessive, contrary to good arboricultural practice and would be harmful to public amenity. There is insufficient justification within the report for works to this extent. 2. The proposed crownlifts are exceptionally high and the crown reductions seemingly unnecessary. There seems ample space for the movement of plant and vehicles beneath these trees and there is sufficient space between branch tips and buildings. 3. In the case of T2, there is no explanation as to why the canopy/sail should be reduced. 4. In the case of T5, whilst the nearest branch tips are close to the building, this does not necessitate the removal of the tree. The canopy can be pruned back without significantly impacting on either tree health nor public amenity. The Council GRANTS PERMISSION for the following work: T2 Oak – Crownlift to 6m over access only T4 Sycamore – Crownlift to 6m over access only T5 Oak – Selectively prune to clear building by 2m					

	G5 4no. Oaks – Crownlift to 5m. Selectively prune first oak to provide 3m clearance from building G5 – Oak with Ganoderma / 3rd tree in group – Fell The removal of dead branches is exempt from application and may be carried out at any time. Please be advised that G1 (cypress), G3 (bamboo/conifer), T1 (poplar), T3 (ash) and G4 (oak and ash) are not protected by tree preservation order or conservation area.
Conditions	1. One (1) replacement tree is required to replace T5. Unless otherwise approved in writing by the Council, the replacement trees shall be English oak (<i>Quercus robur</i>), Dutch elm disease-resistant elm (<i>Ulmus</i> 'New Horizon') or Spaeth alder (<i>Alnus x spaethii</i>). The replacement tree shall be supplied in accordance with BS 3936-1:1992 as "selected standards" (i.e. 10-12cm girth measured at 1m above ground and an overall height of 300-350cm). The replacement tree shall be planted within 5m of the existing tree. The replacement tree shall be planted within the first available planting season (October to March) following the tree removal. Tree planting shall be in accordance with the relevant prescriptions of BS:8545. If within a period of five years after planting, the replacement tree is removed, dies or in the opinion of the Council becomes seriously defective, it shall be replaced in the next planting season. Reason: To conserve the character of the locality. 2. The permitted works shall be carried out in accordance with BS3998:2010. Reason: To ensure tree work is carried out in accordance with good arboricultural practice.
Notes to applicant	
Parish comments	Having reviewed the application, the Parish Council is broadly supportive of the majority of the recommendations put forward. However, we would like to raise the following specific points for consideration: Tree T3:

	Before any works are undertaken on this tree, the Parish Council requests that a professional assessment be provided by a qualified arboriculturist confirming that the tree is either dead or diseased. It is the Council's understanding that the presence of this particular fungus is not conclusive evidence of the tree's decline, as it can occur on both living and dead trees. Should the tree be confirmed as dead, the Council would prefer that some of the structure be retained to allow for potential natural regeneration through re-shooting. Tree T5: In this instance, the Parish Council would favour a reduction in size rather than complete removal of the tree, where possible. Finally, the Parish Council would like to express appreciation for the level of detail and the inclusion of photographs within the application. Such thorough documentation is both helpful and welcomed, and we would encourage this approach in future submissions. <i>AM response: T3 is in poor structural and physiological condition such that its retention is no longer viable. The felling and total crown reduction of T5 will be refused permission.</i>		
Public objection/ support	Support	Objection	Observation
	0	9	0
Objection/ support consideration	The trees in Groups G1 and G2 are on our property. Group G1, in addition to conifers, also contains two oak trees, one on our property. Group G2 is part of two groups of oak trees protected by Tree Preservation Order 222-E, which has been in effect for at least 20 years. Group G2 contains not 3 oak trees as defined in this application, but 4. As the owners of these trees we have not been contacted by the applicant in any way. We object to the application to raise the canopy of Group G2 by 10 metres. These trees provide visual and auditory screening of the activities in the shipyard. They are a habitat for many species of birds observed this year, including Nuthatch, Goldcrest and Greenfinch, and also squirrels and invertebrates. Lifting the canopy to 10 metres is extremely excessive: this is higher than two double decker buses. There is, in our opinion, reasonable traffic access in the boatyard along the area next to our fence as the roadway is very wide and could be made wider by relocating the several easily moved items currently lying on the side of the roadway furthest from our fence. <i>AM response: Noted and considered.</i> We live at 18 Oakwood Way. We have not been consulted about these proposed plans, nor has anyone else in Oakwood Way. Most of these trees are at the rear of gardens in Oakwood way. The trees currently protect us from noise (which is getting continually worse and more like		

	heavy industries that light industry and help with drainage . Noise would increase and drainage decrease. Whilst some improvement in light in rear gardens may be of benefit increasing noise and reducing the ability of the trees to take off water is not. Please consult all Oakwood Way properties. <i>AM response: Noted and considered</i> I feel compelled to object on the basis that I am unclear what the proposals actually are and which trees will be affected. It may be if the documents were correct (I believe they are not) that my concerns can be satisfied. The image in the tree report of Tree 2 is not the correct tree, which is highlighted on the map as T2 - my property backs on to the (Oak?) tree which is in the location highlighted as T2 on the map, and that tree would certainly benefit from pruning etc however, I would not be in favour of removing the tree altogether - just maintaining it and reducing the sail which is enormous and becoming a risk to surrounding properties and vehicles which regularly park below. Strangely, despite having one of the trees within 2 - 3 metres of my boundary I am not listed as a consultee and despite signing up for notifications of nearby planning - I do not believe I was alerted to these proposals. Is it possible to get a more comprehensive and accurate understanding of the proposals and which trees are affected? <i>AM response: Considered and noted.</i> Firstly - Due process has not been correctly followed . As a property that backs directly onto the boundary with Hangar 1 - and having Trees identified as T6 (OAK) and G7 (Beech) directly overhanging my boundary fence by up to 3m , I formally request that 17, Oakwood way and all other similar Oakwood way properties directly affected are included in the formal consultation - and consultation dates are expended to allow proper consideration for home owners affected. Relevant to the trees that affect our properties, 17 Oakwood Way , we have the following comments Ref T7 - Beech Trees - In principle we support work on T7 - raising bottom of crown to 8m as this would reduce significantly our current safety risk of large branches which have recently fallen into our garden. Ref T6 - Oak Tree - We support work on this tree and request Additional work to remove branches that overhang our rear garden boundary
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	Ref T5 - Oak Tree - We object to the removing of this tree because it is protected by a TPO and along with all the other trees it screens Hangar 1 from residential properties and aids water drainage. AM response: T7 – no information has been supplied regarding safety of this tree so this cannot be considered. T6 – Additional work cannot be added to the application. T5 – Written up for refusal on amenity grounds. I wish to add more detail to my previous objection; my concerns about the proposed treework include: 1. Lack of consultation with the houses in Oakwood Way specifically those houses whose rear gardens are adjacent to HYS but also the whole of Oakwood Way and nearby properties in Satchel Lane. 2. Lack of consultation with other relevant agencies including Environment Agency and Nature Conservation. Whilst there are some benefits to the local residents of the some of proposed treeworks eg. allowing more light into the rear gardens of adjacent properties in Oakwood Way full consideration does not appear to have been given to the negative aspects including: 1. The effective on the local landscape in appearance and character - currently an aesthetically pleasing natural landscape very colourful during spring summer and autumn.; even in the winter the tree outlines soften the hard edges of the industrial sheds and mast of boats. An important view from the public roads both in Oakwood Way and Satchel Lane. The trees contribute a lot to the local landscape character. 2. Effect of trees on the water table. The north end of Oakwood Way is very prone to surface water flooding from the airfield and, if Cemex quarrying goes ahead this will only get worse. The trees , especially the oaks, transpire [consume] a lot of water [figures of 150+gallons a day by an oak are often quoted.]. Oakwood Way was originally marshland; many resident have already done what they can to ameliorate the water table level eg. installing French drains. The trees help enormously and any reduction in canopy would reduce their effectiveness. This will be even more of a worry should HYS decide to cover the roadway at the rear with more water impermeable material or build adjacent to the fence. 3. Nature Conservation - the trees, especially the oaks, are an important habit for wildlife including birds, squirrels and bats. Bats especially like the oak trees with their nooks and crannies and can be seen circling at dawn and dusk. 4. On the proposed removal of the oak with fungus at the bottom - if this is correct then the one in Oakwood Way itself would need removing and so far it has been assessed as safe. Should it be removed
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	then hopefully a condition of the permission to fell would be planting of a replacement tree of a reasonable size. 5. Noise level - currently the trees contribute to noise abatement; raising the canopy height in particular will reduce their effectiveness. HYS has already been the subject of complaints about excessive and increasing noise levels ; this is designated a light industrial site yet the use of heavy plant , grinding etc out of doors has increased. The mention of treework being necessary for movement of plant raises alarm bells. HYS has made some effort to reduce noise but complaints usually land on deaf ears and they make little effort to control their tenants in this respect. AM response: Impact on amenity and justification put forward to support this are the primary considerations when determining TPO applications. There is no requirement to consult the Environment Agency and it is outside of their remit to comment on treework applications. It is up to the tree owner and their contractors to comply with wildlife legislation. The oak with the fungus in G5 is in poor physiological condition, has aubible decay caused by at least one significant species of wood decay fungi. Whilst the application does provide much advice, its condition is clear from a basic ground inspection. Replacement planting will be conditioned. Most of the crownlifting will be refused permission. I was shocked to learn only 2 days ago that HYS were seeking planning permission for work to be carried out on trees at the back of my property. I was not made aware of this work , I would have expected HYS to have written to me about this matter months ago. The tree T5 is immediately at the back of my property and gives me some screening and dampening of the noise from the very large warehouse immediately infront of my back garden. I do not want this tree cut down it has a TP order and I should have been consulted about the matter. I am very concerned about HYS long term and short term plans. What do they mean movement of the plant? The HYS site seems to be expanding and the noise levels have certainly increased. I am extremely concerned about the expansion of the site towards our gardens and houses. The trees give soil stability and some protection
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	against flooding they aid in screening and give reduction in noise pollution. I am most disappointed that HYS did not have the courtesy to consult about the matter to all residents of Oakwood Way. Oakwood Way is built on land that was once a lake the trees in the area are essential for land stability. I think someone from the community should be present when the work is to be done. AM responses: The proposed felling or crown reduction of T5 will be refused permission. No information provided re: type of plant/vehicles. My wife and I are objecting to this application for several reasons; 1. We are very disappointed that HYS have not consulted directly with the homeowners affected by these proposals, especially as they significantly affect the levels of screening and sound dampening afforded to all properties along the boundary. 2. There is no impact statement regarding the effects this will potentially have on the habitats these trees provide to the wildlife in the area and to the drainage / flooding issues suffered by some properties. 3. The plan / report is ambiguous and unclear as to which trees are actually affected nor does it provide any graphic representations of the proposed heights trees will be cut back making impossible to visualise impact. 4. There is no indication as to why access is required to a height of 8-10m in places or what plant will be used in these areas. 5. We find it disconcerting that some of the proposals involve trees and hedges owned and maintained on others properties and these properties have not been consulted. 6. There has been a gradual increase in noise emissions from businesses operating in the area and we are duly concerned that thinning / removing tree cover will exacerbate this. 7. We are definitely opposed to any removal of trees (T5) for all of the above reasons. We understand HYS wish to manage and maintain access to their estate. However, we feel HYS should have approached this application in a more proactive, collaborative and cooperative fashion considering the potential impact it has on its neighbours. We would strongly recommend that a site meeting be organised with affected parties, regulatory authorities and consultants as appropriate to resolve this satisfactorily for all parties.
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	AM response: Noted and considered. I am writing to formally object to Application T/25/99970, which proposes works to trees protected under Tree Preservation Orders within Eastleigh Borough. There are several significant concerns with this application that I urge the Council to take into account before reaching a decision. 1. Essential Noise Screening The trees in question currently form a vital natural barrier against noise pollution from the adjacent site. This is not a trivial concern: residents have repeatedly raised ongoing complaints about excessive noise levels and out-of-hours activity at the site, independent of this application. The existing tree cover plays a crucial role in mitigating the impact of these disturbances, and any removal or significant works risk worsening the noise intrusion into nearby homes and public spaces. 2. Impact on Local Landscape and Character The trees contribute meaningfully to the natural character and ecological value of the area. Their removal would represent a clear visual loss and a degradation of the local landscape, which residents and wildlife alike depend on. Notably, within the application area, Group G4 contains young oak trees. While these may be recently established, they represent the next generation of mature native trees that will sustain the green infrastructure of the area. It is essential they be protected to allow full establishment and future contribution to biodiversity, screening, and amenity. 3. Protected Green Space Status It must also be highlighted that the land on which these trees stand was originally intended to be protected as green space. This makes the proposed works even more concerning, as they could undermine the intention behind the land's protected status and further erode the public's trust in the planning and conservation framework. 4. Risk of Precedent and Cumulative Harm Approving this application may set a damaging precedent for future works on protected land and trees. The gradual loss of protected trees—particularly when their environmental and amenity value is so high—would be contrary to the Council’s stated commitments on biodiversity, sustainability, and green space protection.
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	5. if an oak tree has a Tree Preservation Order (TPO) (TPO), its base is protected, and any damage from car traffic that harms the tree requires the local council's permission. 6. There is no permission or planning for the use of these areas as through traffic or parking or installation of containers to be used as offices. A forklift is in constant use over the roots of these protected trees, welding, grinding next to these protected trees. AM response: Noted and considered. As residents of 18 and 20 Crowsport, Hamble-le-Rice, we are writing jointly to object to the above planning application. Aside from the valid points outlined in the body of this letter, we would like to strongly voice our concern that we were not consulted. Usually, yellow notices are put up on lampposts in the immediate area. No notices were put up on the lampposts in Crowsport, so this application was not sufficiently advertised. This lack of statutory notification surely invalidates the entire application process and it should be re-submitted in order for all affected parties to have adequate time to consider the ramifications of the application. The absence of proper notification undermines confidence in the consultation process and raises procedural fairness concerns. We therefore request confirmation of how notification was carried out, and that all affected residents are properly consulted before any decision is made. The remainder of our letter outlines why proposed work will have a detrimental effect on local residential amenity due to increased noise levels and loss of visual screening from the existing work units. 1. Noise Impact The site lies very close to existing residential properties on Crowsport. The proposed changes will almost certainly increase operational noise from the adjacent work units — particularly from machinery, vehicle movements, loading and unloading, and general site activity. Noise already travels easily across the open ground between the work units and the residential area, especially in calm or still weather conditions. Any increase in activity, reduction in barriers, or changes to the layout will therefore intensify the disturbance experienced by local residents, including at our properties at 18 and 20 Crowsport. This will significantly harm the peaceful enjoyment of homes and gardens in the area, contrary to local planning policies and the National Planning Policy Framework (NPPF), which require developments to secure a good standard of amenity for existing occupants. Please note that work often starts on site at 07:00 which directly contravenes the agreement that work can only take place between the hours of 08:00 and 17:00. The boatyard is essentially now being used as an industrial manufacturing
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	site: which is very much noisier and more disruptive than traditional boatyard movements. The units are not set up for manufacturing and do not have adequate ventilation, which is why the businesses keep their doors open – making their work even noisier. 2. Loss of Screening and Visual Amenity The proposals appear to involve removal or reduction of the existing trees and landscaping that currently provide a crucial visual and acoustic buffer between the industrial/work units and nearby houses. This screening is vital — it helps reduce noise, light pollution, and visual intrusion from the industrial area. Any loss of this vegetation will leave the units more exposed, making them highly visible from Crowsport and neighbouring properties, and further reducing residential amenity. Replacement planting, if proposed, would take years to mature and would not provide an effective short-term substitute. 3. Requested Actions or Conditions (if approved) Should the council be minded to approve this application, we ask that robust conditions are imposed to protect residents, including: - A detailed independent noise assessment with clear limits based on BS 4142 standards; - Operating hours restrictions (e.g. strictly no operations outside 08:00–17:00 on weekdays, and none on Sundays or Bank Holidays); - Retention of all existing boundary vegetation and trees; - Provision of additional evergreen planting or an acoustic fence to maintain screening; and - A requirement for ongoing noise monitoring and enforcement if limits are exceeded. 4. Conclusion In summary, the proposed development will cause greater noise disturbance, reduce essential screening, and has been pursued without proper consultation of directly affected residents. It will therefore harm local amenity and the character of the area. We moved to be next to a boat yard, not an industrial estate. Once the application has been adequately advertised and affected parties are properly consulted, we respectfully request that the Council refuse this application or require substantial amendments and conditions to address these impacts. AM response: Noted and considered. For information, in the case of tree work applications, we cannot grant permission conditional upon the items listed in paragraph 3.
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