Building a Better Future Plan - Representation Form

Part A - Personal Details

Please indicate whether you are completing this form yourself or if you are an agent completing this on behalf of a client

I am completing this form myself

Part A - Personal Details (Completing form on own behalf)

Please provide the following personal details.
Please note that these details are required for all representations and your information will be shared with the Planning Inspectorate.
The personal data you provide will be used to ensure that representations comply with government guidance and that they can be used as part of the Local Plan examination process. More information on how we use your personal information can be found as part of the 'Planning Policy' privacy notice is available here.

Title	Mr
First Name	J ohn
Last Name	MacEwan

[redacted]

Please provide the following details where applicable and/or relevant

No Response

Part A - Personal Details (Agent on client's behalf)

If an agent is appointed, please provide the following information:
Please note that these details are required for all representations and your information will be shared with the Planning Inspectorate.
The personal data you provide will be used to ensure that representations comply with government guidance and that they can be used as part of the Local Plan examination process. More information on how we use your personal information can be found as part of the 'Planning Policy' privacy notice is available here.

No Response

Please provide the following information about the client for whom you are completing this form on their behalf

No Response

Part B - Your representation(s)

Which part of the Building a Better Future Plan does your representation relate to?
Please provide as much detail as possible.
If you wish to make a change to the Policies Map, please comment on the corresponding p olicy, and explain what change you would wish to make. If you would be helpful if you could show this in visual form
A full list of policies and allocations can be found in the contents page(s) of the Publication Plan - you can access this document here.

Policy Number	-
Allocation Number	Allocation 2
Paragraph Number	-
Page Number	Printed, pages 95-97, PDF pp, 99-101

Do you consider the Local Plan is ...
(Please select as appropriate)

	Yes	No
Legally compliant	X	
Sound		X

Please give details of why you consider the Building a Better Plan is not legally compliant o r is unsound. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Local Plan, please also use this box to set out your comments.

The Plan allocates land carrying trees recorded as veteran on the Woodland Trust's Ancient Tree Inventory, while the Council's published evidence base contains no tree survey for the site and no assessment of those trees. The Council's own February 2026 site assessment records that the detailed work on the TPO constraint has not been undertaken. On 20 August 2026 the Council refused consent to fell one oak on this land, its officer recording it as likely of veteran status. The allocation is not justified and is not consistent with paragraph 193(c) of the Framework.

Please set out the modification(s) you consider necessary to make the Local Plan legally c ompliant and sound, in respect of any legal compliance or soundness matters you have ide ntified above.
You will need to say why each modification will make the Local Plan legally compliant or so und. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Allocation 2: Land north of Long Copse Lane should be deleted from the Plan in its entirety, together with the consequential amendments to the sources of housing supply table, the housing trajectory and the Policies Map.

If you wish to upload any documents to support your representation, please do so below. Please note that there is a maximum file size of 50MB and you can upload a maximum of 1 0 files to include with your form.

- File: Trees-Representation-for-submission.docx - Download

Examination Hearing Session Invitation

If your representation / representations are seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?
Please note that while this will provide an initial indication of your wish to participate in examination hearing session(s), you may be asked at a later point to confirm your request to participate.
No details on the examination hearing session(s) have yet been determined and will be made available upon the submission of the Building a Better Future Plan to the Planning Inspectorate.

Yes, I wish to participate in examination hearing session(s)

Examination Hearing Session Invitation (2)

You indicated that you wish to participate in the examination hearing session(s). Please outline why you consider this to be necessary.
Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in examination hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

The matters raised turn on what the Council did and did not examine before allocating this land, and on the relationship between its refusal of a felling application in August 2026 and an evidence base containing no assessment of the trees. Those should be put to the Council directly and its answers tested.

Future Notification

Do you wish to be notified of any of the following milestones in the Building a Better Future Plan process?
These milestones include:

The Local Plan has been submitted for examination
The publication on the Inspector's Report
The adoption of the Local Plan

If you indicate that you wish to be notified, the email address you provided in Part A of the form will be used by the Council to notify you of these milestones.

Yes, I wish to be notified

Representation — veteran trees on Allocation 2, and the absence of tree survey evidence

Regulation 19 representation — Havant Borough Council, Building a Better Future Plan

Allocation 2: Land north of Long Copse Lane, Emsworth. Printed pages 95–97.

Why the allocation is unsound

This representation is confined to one matter: the Plan allocates land carrying trees recorded as veteran on an independent national inventory, and the Council's published evidence base contains no tree survey for the site and no assessment of those trees. The allocation is therefore not justified, and it is not consistent with paragraph 193(c) of the National Planning Policy Framework.

I do not repeat the landscape case made in other representations on this allocation. This one is about the trees themselves and about what the Council did not look at before allocating the land.

The Plan's own account of the trees

The Key Features list for Allocation 2, at printed page 95, is the Council's own description of what is on this land. It records that "Tree Preservation Order (TPO) woodland bounds part of the northern boundary and extends into the north west of the site", and that "a further area of TPO woodland wraps around the south western corner of the site".

The Council therefore knows that protected woodland lies on and within this site.

What the Council's evidence does not contain

I have examined the Council's published list of Local Plan evidence studies and strategies. It contains no tree survey, no arboricultural assessment and no veteran tree survey for this or any allocation.

The Council's own Strategic Housing and Economic Land Availability Assessment of February 2026 says as much. Against this site it records that "The need for ecological mitigation and TPO woodland is likely to constrain the developable area, but detailed work has yet to be undertaken by the site promoter."

That is the Council recording, in its own site assessment, that the work which would establish the extent of the tree constraint has not been done. The Plan nonetheless allocates the land for an indicative yield of 325 dwellings.

What the Woodland Trust's Ancient Tree Inventory records

The Ancient Tree Inventory is the national record of ancient, veteran and notable trees, maintained by the Woodland Trust and populated by verified survey records. It is publicly accessible at ati.woodlandtrust.org.uk.

For the woodland on the northern edge of Long Copse Lane, east of the driveway to Hollybank House, the inventory records **five oaks classified as veteran**, (195307,195308,188490,188489,188475) adjacent to the Lane and opposite my house. A **veteran aspen** and **two notable oaks** are recorded near the northern edge of the same woodland. The oak to the west of that driveway is also recorded on the inventory as a veteran.

The inventory appears nowhere in the Council's evidence base. I invite the Council to confirm whether it was consulted at any point in the preparation of this Plan, and if it was, where that consultation is recorded.

The Council refused consent to fell one of these trees three weeks before this consultation closed

On 20 August 2026 the Council refused application **APP/26/00406**, which sought consent to fell one oak on this land. Its tree officer recorded that the tree "is a liekly veteran status tree and displaying a number of important ecological features that would confirm that it is indeed potentially a veteran and should be managed appropriately in line with a tree of this type" [*sic*].

The refusal reason was that "the tree is a significant feature in the local landscape and appears to be in adequately sound and healthy condition. Its proposed felling would result in undue loss and detriment to the visual amenities of the locality", contrary to policy DM8 and the Framework.

The Council is therefore satisfied, on its own officer's assessment, that at least one likely veteran tree stands on this land — while its Local Plan evidence base contains no survey of the trees at all.

Why that makes the allocation unsound

Paragraph 193(c) of the Framework requires that development proposals entailing the loss or deterioration of irreplaceable habitats, "such as ancient woodland and ancient or veteran trees", be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.

An allocation is not a planning permission, and I do not suggest that it is. But a plan-making authority which allocates land for 325 dwellings without knowing where the veteran trees on that land are, or how many there are, cannot demonstrate that the allocation is supported by proportionate evidence. Nor can it demonstrate that the site can accommodate the yield it has attributed to it, since the constraint is unquantified on its own account.

The Council's position is that the developable area is likely to be constrained by TPO woodland and that the detailed work has not been done. If that work were done and disclosed the presence of several veteran trees, the yield, the layout and the deliverability of this allocation would all be in question. The Plan proceeds as though the answer were already known. It is not.

The Tree Preservation Orders, and a gap in them

The Council's own Tree Preservation Order mapping records a number of Orders over and within this land. Reading that mapping against the Council's draft allocation boundary, protected trees or protected woodland under Orders numbered 1289, 1532, 1974, 2054, 2056, 2063 and 2064 fall inside the allocation. Order 2054 is a composite Order: the register records it as a Woodland Order, and the mapping shows one woodland part together with individually protected trees, which is why the August 2026 felling application could be made against "T1 TPO 2054".

I can find no Order recorded over the block of woodland on the northern edge of the lane, east of the driveway to Hollybank House — the block in which the inventory records the veteran oaks. I ask the Council to confirm whether any Order covers that woodland, and if none does, to say what protection it considers applies to it.

Questions I ask the Council to answer

These questions are addressed to Havant Borough Council. I ask that they be answered in the Council's response to representations or in its evidence to the examination, and that the answers be published before the hearing sessions so that they can be tested.

- What survey of the tree stock on this land has been carried out for plan-making purposes, by whom, and when?

- Has any tree on or within this allocation been assessed as ancient or veteran for plan-making purposes? If not, on what basis was the indicative yield of 325 dwellings arrived at, given the Council's own record that the detailed work on the TPO constraint has not been undertaken?
- Was the Woodland Trust's Ancient Tree Inventory consulted in the preparation of this Plan? If so, where is that recorded?
- Is any Tree Preservation Order in force over the woodland on the northern edge of Long Copse Lane, east of the driveway to Hollybank House?
- How does the Council reconcile the refusal of APP/26/00406 on 20 August 2026, on a tree its own officer assessed as likely of veteran status, with an evidence base containing no assessment of the trees on this land?

The modification I seek

Allocation 2: Land north of Long Copse Lane should be deleted from the Plan in its entirety, together with the consequential amendments to the sources of housing supply table, the housing trajectory and the Policies Map.

Deletion makes the Plan sound because the defect is in the allocation of this land and cannot be cured by wording. The Council does not know what trees are on this site. Until it does, it cannot show that the site is capable of accommodating the development it has allocated to it, and it cannot show that the allocation is consistent with paragraph 193(c) of the Framework.

I put forward no revised wording for any policy or criterion, and none is sought. My objection is to the allocation of this land, not to the drafting of the criteria attached to it, and no revision of those criteria would meet it.

Why this needs to be tested at a hearing

The matters above turn on what the Council did and did not look at before allocating this land, and on the relationship between its own refusal of a felling application in August 2026 and an evidence base which contains no assessment of the trees. Those are matters the Council should be asked about directly, and its answers tested, rather than resolved on paper.

Representation form entries

Field	Entry
Name	
Address and email	
Allocation Number	2 (Land north of Long Copse Lane)
Page Number	Printed pp. 95–97 (PDF pp. 99–101)
Legally compliant?	Yes
Sound?	No
Tests of soundness not met	Justified; and consistency with national policy
Change sought	Deletion of Allocation 2 in its entirety
Do you wish to appear at the examination hearings?	Yes
Date	