

Recommendation: GRANT TPO CONSENT

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
1 Rep from Tree Warden	Factual account of tree stock on the site

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 pruning works requested would undermine the amenity value of these trees and whether this could also be harmful to their ongoing health and vitality.

7.2 My inspection related specifically to assessing the proposed works rather than generally inspecting the tree's health and condition in any great detail. I visually inspected the tree from ground level and the following report deals with the relevant issues that have been raised on site, in the application form and from my site observations.

7.3 This application relates to the removal of one mature Oak tree, subject to TPO 0567 and identified as T95 of that Order. As far as it is reasonable to see the tree is healthy and structurally sound and has some local importance. It is situated to the south of the property known as Leisurelands in Gutner Lane, Hayling Island. This application to remove the Oak tree has been submitted as the tree is implicated in damage to the structure of the property as a result of clay subsidence. A submitted Technical Report, Arboricultural Appraisal, Level Monitoring and Site Investigation Technical Report have been submitted to support the application. These reports are comprehensive and demonstrate that movement in the building has been caused by the shrinking of the clay subsoil on which it is founded, caused by the action of Oak tree roots from Oak T95. Consultation with Havant Borough Building Control confirms that building subsidence has occurred which can be attributed to the action of the roots of the adjacent Oak tree. The Council's Legal opinion is that on the balance of probabilities T95 is the cause of clay subsidence and consequent movement of the building. Legal opinion also advises that if this application were to be refused, Havant Borough Council would be responsible for any further costs going forward should the tree remain and repair work take place, these costs are estimated at £186,000

8 Conclusion

The submitted evidence demonstrates that clay subsidence, and consequent damage to Leisurelands has occurred, and this movement can be attributed to the action of tree roots from the Oak tree T95. Bearing in mind the consequent liability of the Council for the payment of compensation going forward should the tree remain, there is no alternative but to permit the removal of T95 of TPO

9 RECOMMENDATION:

That the Head of Neighbourhood Support be authorised to **GRANT TPO CONSENT** for application APP/18/01316 subject to the following conditions

- 1 The tree works for which consent is hereby granted shall be carried out and completed no later than 5th April 2020.
Reason: To control the timing of the works