
Site Address:	1A Durley Avenue, Waterlooville, PO8 8XA		
Proposal:	Fell 1No English Oak (T1). Subject to TPO 1862.		
Application Type:	Works to TPO Tree		
Application No:	APP/24/00077	Expiry Date:	25/03/2024
Applicant:	360 Globalnet		
	360 Globalnet		
Agent:		Case Officer:	Tree Officer
Ward:	Cowplain		

Recommendation: **GRANT TPO CONSENT**

1 Site Description

1A Durley Avenue, Waterlooville, PO8 8XA

2 Planning History

93/58856/000 - Retrospective Change of Use from offices to residential., PERM,
GEN/24/00368 - Copy docs - request for confirmation that the following applications
relate to 65 London Road, not 67 London Road
02/58731/005
93/58731
94/58731/3/ADV
03/58731/006
93/58731/000
94/58731/003
03/58731/006
02/58731/005, ,18/04/2024

3 Proposal

Fell 1No English Oak (T1). Subject to TPO 1862.

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: 24

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment

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 an otherwise healthy tree without further investigation being found necessary.

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

7.3 T1 is a small mature English oak tree, located in the southern rear garden of 1 Durley Avenue. The oak is prominent in the street scene and can be readily viewed from nearby public viewpoints. The tree provides visual amenity and canopy cover and contributes to the ecosystem services of the area. The protection of the tree is warranted.

7.4 The reasons proposed for the removal of this tree, provided by the applicant, is due to structural damage to a single-storey garage located on the neighbouring property at 1a Durley Road, as evidenced in the supporting reports.

7.5 When applying 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)) 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 tree would potentially expose the council to future claims, which can be very high in subsidence - related cases. For this reason, there is little option but to allow its removal.

8 Conclusion

It is recommended that the works to the tree should be granted consent subject to conditions. Owing to the complex nature of this case, it is not reasonable to ask for mitigation tree planting.

9 **RECOMMENDATION:**

That the Executive Head of Place be authorised to **GRANT TPO CONSENT** for application APP/24/00077 subject to the following conditions

- 1 The tree works for which consent is hereby granted shall not be carried out otherwise than in full accordance with all relevant content of BS 3998 (2010).

Reason: In the interests of tree health and safety.

- 2 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.