

Eastleigh Borough Council Tree Preservation Order and Conservation Area Assessment Form

Application Number	T/24/98134
Surveyor	SK
Address	23A CROWS NEST LANE, BOTLEY, SOUTHAMPTON, SO32 2DD
Proposed work	1no. Oak (T1) - Reduce height from 24m to 15m & reduce spread from 23m to 16m. Clay shrinkage subsidence damage at subject property.
Assessment Date	Site visited 01.10.24. Further desk work undertaken 07/10/24
Officer comments	T1 is a large oak growing of the frontage of the applicant property. It is of high visibility and visually in good condition. The canopy is biased to the west following the removal of an oak in the opposite plot, lost through development. The tree opposite shared canopy space with the subject tree. Over time, this will likely rebalance now light levels are higher. Resident seen on site: frustrated with the length of this the subsidence investigation has taken, but very keen to keep the tree. 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. The report must include (<i>indicated in brackets if the requirement is met or not</i>) A description of the property, including a description of the damage and the crack pattern, the date that the damage first occurred/was noted, detail of any previous underpinning or building work, the geological strata for the site identified from the geological map. • Details of vegetation in the vicinity and its management since discovery of the damage. Include a plan showing the vegetation and affected building. (<i>Included in the application</i>) • Measurement of the extent and distribution of vertical movement using level monitoring. Where level monitoring is not possible, state why and provide crack monitoring data. Data provided must be sufficient to show a pattern of movement consistent with the presence of the impacted tree(s) (<i>Data supplied that shows seasonal movement.</i>) • A profile of a trial/bore hole dug to identify foundation type and depth and soil characteristics (<i>Data supplied that demonstrates soil profile and foundation depth.</i>) • The sub soil characteristics including soil type (particularly that on which the foundations rest), liquid limit and plasticity index (<i>Data</i>

	<i>supplied that demonstrates shrinkable clay soil is present at foundations.)</i> • The location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out. (<i>Lab results showing probably Quercus roots (there are no chestnuts nearby, so this is discounted)</i>) • Proposals and estimated cost of options to repair the damage. (<i>Supplied.</i>) Technical evidence in respect of other structural damage e.g. garden walls, drains, paving, drive surfaces) should be provided by a relevant engineer, building/drainage surveyor or other appropriate expert. (<i>No evidence of investigations to drainage or alternative options, which could retain the tree is supplied.</i>) The level of evidence supplied is of a quality and relevant to demonstrate the there is, in all probability, tree roots causing indirect damage at the property. The damage is slight. The tree is of high value. The claim against the LPA could be in excess of £60,000 and given the substantive evidence, advice is to allow works. However: I find the work specification at odds with the advice in the arboricultural report: the report includes a well-known statement on the efficacy of tree pruning works on trees – (blue text cited from the arb report reference 1784480 02/09/24) “The publication “CONTROLLING WATER USE OF TREES TO ALLEVIATE SUBSIDENCE RISK” © 2004 BRE on behalf of the Link Consortium for Horticulture Link Project No. 212 concluded that: • For practical soil moisture conservation, severe crown-reduction 70-90% of crown volume would have to be applied. Reduction of up to 50% crown volume is not consistently effective for decreasing soil drying. • To ensure a continued decrease in canopy leaf area and maximise the period of soil moisture conservation, crown reductions should be repeated on a regular managed cycle with an interval based on monitoring re-growth. This is reinforced in BRE IP7/06 “Pruning trees to reduce water use”. If the subject trees are not pruned, then damage will almost certainly continue and worsen.” There is further guidance demonstrating that tree surgery works are not an appropriate course of action to take to mitigate subsidence (<i>O’Callaghan, D. Tree-related subsidence: Pruning is not the answer. J Build Apprais 1, 113–129 (2005). https://doi.org/10.1057/palgrave.jba.2940011</i>). The works applied for are below those recommended for controlling water use in trees: it may be that the damage is slight, and the lesser works are acceptable in this instance. In any event, the LPA is unable to grant greater works for an application, but it must be made clear to the applicant that the owner of the trees needs to be aware of the ongoing liability to maintain their own tree in future.
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	Given that there are alternative solutions available and that we are in a Climate Emergency in Hampshire, and that the number of claims could foreseeably result in a significant loss of mature trees and the loss of their associated ecosystem services, I would urge careful consideration before carrying out work, even though approval of the application is recommended.					
Decision	Consent	Refuse	Part consent/ Part refuse	Withdrawn / Invalid	Conservation Area	
					Raise no objection	TPO
	x					
Decision notice	CONSENT with advisory notes 1no. Oak (T1) - Reduce height from 24m to 15m & reduce spread from 23m to 16m.					
Conditions	Standard. Ideally work to be carried out late summer or winter					
Notes to applicant	There is a likelihood that this work will need to be repeated to maintain any benefit that results from the pruning. It is possible alternative solutions could retain the tree safely and all its associated benefits: these should be carefully investigated prior to a final decision being made. The pruning applied for is not in line with the industry guidelines for subsidence mitigation.					
Parish comments	None					
Public objection/ support	Support		Objection		Observation	
	0		0		0	
Objection/ support consideration						