

Summary of complaint

Mr and Mrs X complained the Council has failed to enforce planning conditions properly for trees on their boundaries with a housing development. This has resulted in damage to the trees.

Ombudsman's Findings

The Ombudsman found that the Council acted properly in the way it took enforcement action on the developer's breach of planning conditions in damaging the roots of Mr and Mrs X's trees. It has also monitored the building of structures within Root Protection Areas appropriately.

The Ombudsman has found fault in its failure to provide Mr and Mrs X with professional reassurance that the damage to the trees was limited.

Agreed action

The Council has issued an apology to Mr and Mrs X for failing to provide information to them from the root survey and so give them professional reassurance that the damage to their trees was limited.

Decision of the Ombudsman

The investigation has been closed. Decision recorded as Upheld: Maladministration and Injustice.