

TREE WORKS CONSENT REPORT

REF NO: **AW/193/11/T**

LOCATION: 1 Lichfield Gardens
 Aldwick

PROPOSAL: Crown lift to height of 9-10 metres, crown thin by 25% & remove dead wood as necessary to 1no. Scots Pine. Crown lift to height of 6-7 metres, crown thin by 10% & remove dead wood as necessary to 2no. Corsican pine.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 872 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this application and mature trees in the rear garden of the property.
BOUNDARY TREATMENT	Front boundary comprises fir trees, approximately 2 metres in height, 1 no. scots pine and 2 no. corsican pines.
SITE CHARACTERISTICS	Detached, two storey modern property, constructed from yellow brick with a pitched, tiled roof and front integral garage.
CHARACTER OF LOCALITY	Residential cul-de-sac of detached, modern two storey dwellings of similar design and appearance.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Objection. Members voted to object to this application as they felt a crown lift of 9-10 metres to a Scots Pine was excessive.

1 Letter of Support:

Lower branches of the Scots pine hang over rear garden of 5 Westminster Drive. Lifting the crown would bring it in line with other trees in the road. During high winds, branches make contact with the house and are dangerous.

Comments on Representations received:

Comments noted. The Council's Arboriculturist considers the works excessive and makes recommendations, as summarised below.

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

Arboriculture: There are three pine trees that the applicant is proposing to prune and the specifications for each are regarded as unjustified and excessive. The Scots Pine should be deadwooded only. Both Corsican pine trees should be crown lifted to a minimum height of 6 metres only. The largest of the two Corsican Pine trees nearest to and overhanging the neighbours conservatory has a large low extending branch growing towards the north east. This should be reduced by 2-3 metres from the tip as part of the crown lift. There is a smaller touching branch from the same tree located at approximately 6 metres from the ground. It is recommended that this smaller diameter branch should be removed to eliminate possible fracture and to be completed with a crown deadwood.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

TPO/AW/159/10

TPO/AW/2/58

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

XXX1

Circular 36/78

XXX2

DETR TPO's A guide to Law and Good Practice

POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPOs, are not specific to trees.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 198 of the Town and Country Planning Act 1990 states:

"If it appears to a Local Planning authority that it is expedient in the interest of amenity to make provision for the preservation of trees.... they may for that purpose make an order"

The works to the trees are to be judged having regard to amenity.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The 1 no. Scots pine and 2 no. Corsican pines are covered by Tree Preservation Order TPO/AW/2/58 and TPO/AW/159/10. The trees are sited adjacent to the front boundary of the property at the entrance to Lichfield Gardens. The trees are of significant height and are readily

visible within Lichfield Gardens and Westminster Drive.

The works proposed to the Scots Pine are requested in order to prevent the overhang of branches to the neighbours rear garden and conservatory at no. 5 Westminster Drive. High sided vehicles make contact with lower branches of the Scots Pine on entering the close and delivery vans are currently unable to enter the close owing to low branches overhanging the highway. The surgery proposed would result in the crown lift of 9-10 metres and crown thinning by 25%. The 2 no. Corsican pines are less prominent and the works proposed would require a crown lift of 6-7 metres and crown thinning by 10%. The trees have significant amenity value within the streetscene and surrounding locality. The proposed works are extensive and would have an adverse impact on the amenity value of these trees.

The Council's Arborist has been consulted and considers the proposed works unjustified and excessive. The Arborist recommends that the Scots Pine is dead wooded only and the Corsican pine trees are crown lifted to a height of some 6 metres. It is recommended that a branch of the largest of the Corsican pines overhanging the neighbours conservatory, is reduced by 2-3 metres from the tip as part of the crown lift, and that a smaller diameter branch of the same tree is removed to eliminate fracture.

It is therefore that the application is refused for the following reasons.

RECOMMENDATION

REFUSE

- 1 The trees make a significant visual feature in the local landscape and appear to be in adequately sound and healthy condition. The tree surgery proposed in the application would result in excessive reduction of the trees landscape impact and would cause undue detriment to the visual amenities of the locality, in conflict with policy GEN7 of the Arun District Local Plan.