

Planning Officer: Miss Z Toppin

Planning Application Ref: AW/193/21/T

Location: The Grange, Grange Court, Aldwick, PO21 4XR

Description of works: Crown lift 2no. yew trees (T-222 & T-223) to approx. 2.5m above road level

Reasons given: To achieve adequate overhead clearance above public footway and carriageway

Comments on Application:

2x Yew / *Taxus baccata* Height: 5-10m Radial spread: 0-5m Age class: Early mature

- Outwardly from distance (roadside) both trees appear to be in a fine physiological state and assumed to be so in the absence of any information/evidence provided to the contrary.
- They are prominent within a long-established tree line; clearly seen from numerous residential dwellings and by highway users. As such, they have public amenity value.
- Low branches have encroached into the adjacent public footway and carriageway, at a height which may obstruct safe passage. The removal of such material qualifies as an exception from the normal application process.

Q. What is the exception for work on dangerous trees and branches?

- *Where a tree presents an immediate risk of serious harm and work is urgently needed to remove that risk, tree owners or their agents must give written notice to the authority as soon as practicable after that work becomes necessary. Work should only be carried out to the extent that it is necessary to remove the risk.*
- *In deciding whether work to a tree or branch is urgently necessary because it presents an immediate risk of serious harm, the Secretary of State's view is that there must be a present serious safety risk. This need not be limited to that brought about by disease or damage to the tree. It is sufficient to find that, by virtue of the state of a tree, its size, its position and such effect as any of those factors have, the tree presents an immediate risk of serious harm that must be dealt with urgently. One consideration would be to look at what is likely to happen, such as injury to a passing pedestrian.*
- *If the danger is not immediate the tree does not come within the meaning of the exception.*

Paragraph: 080 Reference ID: 36-080-20140306

Revision date: 06 03 2014

Source: <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

Cautionary note (please read carefully)

It is an offence to work on a protected tree without consent and if unauthorised work takes place, the Council can (and does) take legal action which can lead to fines of up to £20,000,

or twice the value of each tree, whichever is the greater. The Council's written consent is needed before any felling or pruning takes place. To give notice of work to tree(s) please complete the [Application Form](#) and refer to the [Guidance Notes](#) which cover trees both in and outside conservation areas.

Conclusions:

- The work proposed is justified on arboricultural grounds. If undertaken to a good standard and at the right time; then it is unlikely to have an adverse effect on the trees' long-term vitality and visual amenity.
- The work qualifies as an exception from the normal application process. The application provides the local planning authority with adequate written notice.
- Under the terms of the exception, it would be acceptable at this location to prune both yew trees to achieve a maximum of 2.1metres and 5metres overhead clearance above the footway and carriageway respectively. It is important not to exceed those measurements, to do so would constitute unauthorised work.

Recommendation:

- I recommend the applicant be; provided with a copy of this report, invited to withdraw their application and proceed with the work as described, without further recourse to this Authority.

Advisory:

- Tree pruning work should be carried out in accordance with BS3998:2010. The following guidance describes the required method of pruning:

Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010.

Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.

Reasons: In the interests of the tree's continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

Mark Warwick
Tree Officer / Parks and Greenspace Team

Figure 2 Positions of final cuts

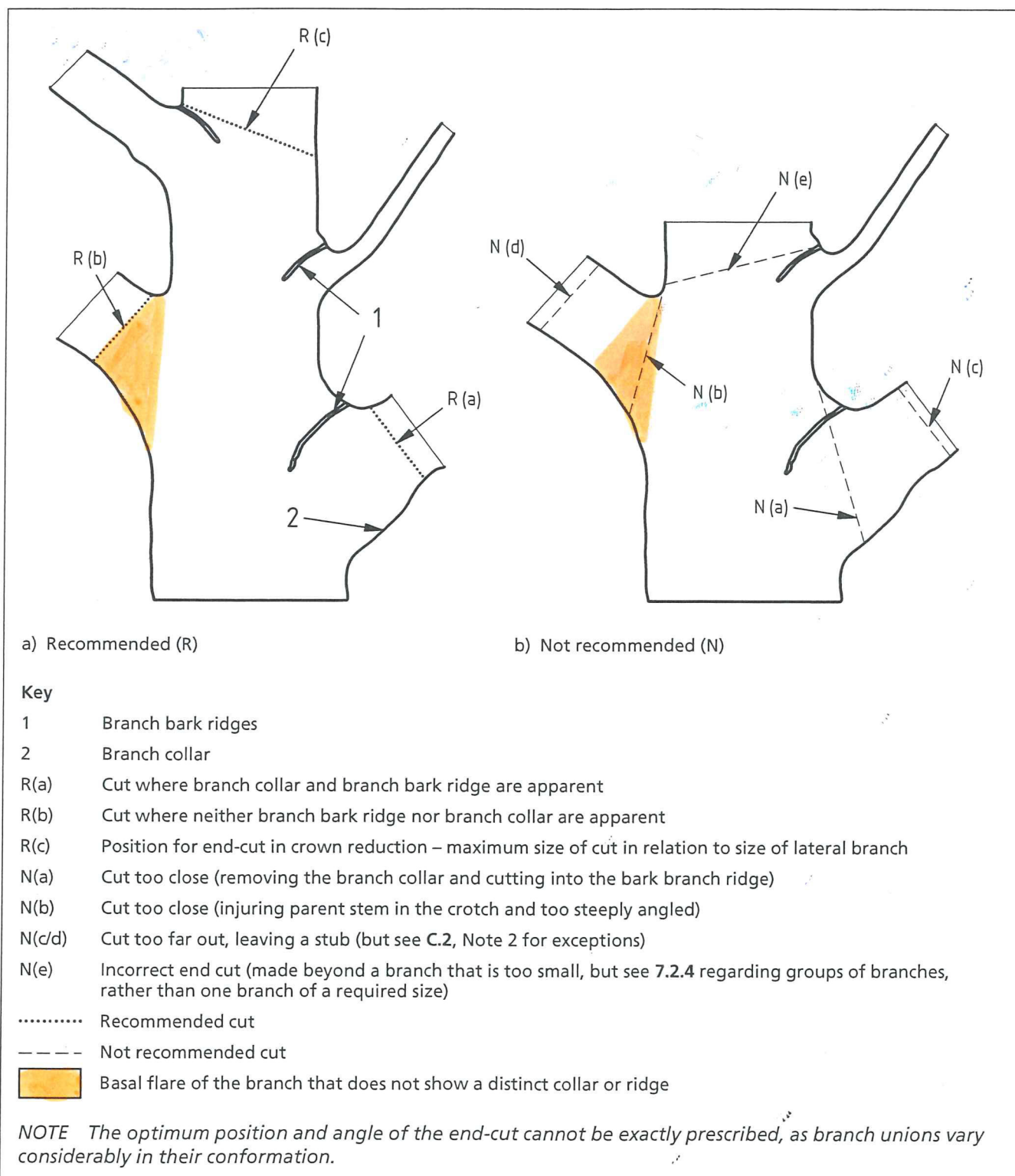


Figure 3 Crown lifting

