

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (

REF NO: **AW/254/13/T**

LOCATION: Pathway at The Ridings
 R/O No. 3 Hunters Close
 Aldwick

PROPOSAL: Fell 1No. Horse Chestnut Tree.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Horse Chestnut tree the subject of this application.
BOUNDARY TREATMENT	The tree is located on a verge that faces directly onto the highway, residential boundaries are within close proximity to the tree being enclosed by hedging.
SITE CHARACTERISTICS	On gravel pathway adjacent to properties.
CHARACTER OF LOCALITY	Private residential estate comprising predominantly detached properties of various styles and designs with tree lined roads.

RELEVANT SITE HISTORY

AW/46/11/T	Surgery to 25 trees of various species to raise crowns to 2.5m-5m over roads and 2.5m over pathways.	ApproveConditionally 31-03-2011
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REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection

Members agreed that the Arun Arboriculturist is consulted regarding this application and that his professional recommendations/decision is applied.

1 Letter of Support

The Horse Chestnut tree is badly diseased and has become a real eyesore. It will be a relief to be free of all the unpleasant dead leaves, even in the summer.

Comments on Representations received:

Parish Council and Rep comments noted

See Arboriculturist's recommendation.

CONSULTATIONS

Council's Arboriculturist
Conservation Officer

Consultations responses received:

Council's Arboriculturist

The tree was inspected today and found it to be healthy and of visual prominence. It was indiscriminately lopped a few years ago but has responded well. I understand at that time that the managers of the estate were to arrange for remedial pruning to restore crown balance because of the poor pruning work.

A similar sized Horse Chestnut tree was felled recently near to the corner of this highway because it was found to be partially dead and dying. It would be unfortunate to lose this healthy tree without good reason as it would create a void.

There is no arboricultural justification for its removal and therefore the recommendation is to refuse the application.

Conservation Officer
Awaited

Conservation Area Advisory Committee
Refer to Arboriculturist.

Comments on Consultation responses:

Arboriculturist's comments noted.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Tree Preservation Order
Within the Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [AREA2](#) Conservation Areas

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 Horse Chestnut tree is sited on the pathway adjacent to the highway and is readily visible in the street scene being of public visual amenity.

The application seeks to remove the tree as it has grown too large for its position and has lost its natural form due to previous bad husbandry and appears to be suffering from leaf minor.

The Council's Arboriculturist has inspected the tree and it appears to be in a healthy condition and of visual prominence. He considers that remedial pruning to restore crown balance because of previous bad pruning would be more appropriate. In the absence of any arboricultural justification for the felling of the tree the application is therefore recommended for refusal.

RECOMMENDATION

REFUSE

- 1 The Horse Chestnut tree makes a significant contribution to the character of the area and in the absence of any arboricultural justification the loss of the tree would be detrimental to the visual amenities of the locality.