

CHECAA

Craigweil House and its Environs Conservation Area Association

'Preserving our Regal, Historic and Architectural Heritage for Future Generations'

AW-335-13-T 38 Kingsway – Surgery to four Yew Trees, one Oak and one Hornbeam – Objection 22-1-2014

Head of Planning Services
Arun District Council
Maltravers Road
Littlehampton
BN17 5LF

22 January 2014

Dear Sir

**AW/335/13/T – 38 Kingsway – Objection to proposed surgery to
four Veteran Yews trees; one Oak tree and Hornbeam tree within the
Craigweil House Conservation Area and Area of Special Character - OBJECTION**

The dual designation of the Craigweil area reflects that in Law, Appeal Inspector's Decisions have made clear, imposes upon the Local Planning Authority an inescapable duty to protect the area – and that includes the trees as an integral part of the designations. There is a clear duty for the LPA to protect these trees and the over-riding provision for this is Tree Preservation Order BR/2/1958. Other TPO's have been made in recent years and there is no doubt that they must include tree subject of this application.

Appeal Inspector Catherine Hughes, dismissing the appeal against the refusal of AW/91/13 on the 19 November 2013 made the position abundantly clear when she said: *'I have had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.'* She went on to say *'These trees are attractive mature specimens which make a positive contribution to the amenity of the area. A number appear to be mature enough to be covered by the Tree Preservation Order for the area.'*

Thus, *the Inspector recognised and respected the 1930 design concept of the area* and the objectives of the dual designation – an unique accolade within Arun District – and we ask that LPA Case Officers act similarly in considering this and all applications in 2014.

CHECAA is concerned that the well-being of these trees – particularly the four Yews - be preserved at all costs and fears that, despite the recognised 20 year neglect of some of them, the proposed works may well be too severe for one season – or at all - and may better, in the interests of good horticultural and arboricultural practise, spread over two seasons or more. The older the tree, the greater the risk of surgery harming or killing.

The exceptional amenity value of these trees is an integral part of the Craigweil Private Estate which lies within the far more extensive (plan attached – IMG_100) Craigweil House Conservation Area and Craigweil House Area of Special Character for all the trees were regarded as being an important part of these designations. Area of Special Character was granted with the adoption of the Arun District Local Plan on the 17 April, 2003 and Conservation Area designation was made by Full Council under section 69 of the TCP (Listed Buildings and Conservation Areas) Act 1990 on the 15 April 2009. The Aldwick Area TPO was made by Bognor Regis Town Council as BR/2/1958. Other individual TPO's have been made within the last five years following the Aldwick Parish Tree Survey carried out by CBA Trees, one of the leading arboricultural consultancies in the United Kingdom, known and respected internationally. **It must not be ignored.**

CHECAA says that only minimal cutting back of limbs on all these trees should be allowed – and then only for sound arboricultural reasons that have been widely espoused by Mr. Tony Kirkham, Head of Arboriculture at the Royal Botanic Gardens, Kew – who contends that all trees in the UK have suffered extensively from five year's of drought. With this in mind, his professional view is that it will take at least 5 years of normal UK weather - with normal rain - for those trees which survive, to recover.

Meantime, Mr. Kirkham and all experienced arboriculturalists state firmly that only minimal removal of branches where necessary IN THE INTERESTS OF THE TREE should be allowed for all trees desperately need all the foliage that can be retained to recover from the extreme shock and under nourishment they have suffered. By and large, it is this drought, and the debilitation of the trees which is causing the browning and premature leaf drop seen extensively in recent years – a sight erroneously diagnosed, by far too many people, as indicating disease.

CHECAA has to put on record that it is disturbed to find the Conservation Areas Advisory Committee (CAAC) once again recording an opinion of 'No objection' to the application when, quite clearly, they cannot have visited site or know the history of the trees and what arboricultural or horticultural attention, if any, is appropriate or necessary. This committee is a statutory consultee and weight should be given to their view – but CHECAA says that these should be confined to informed views. 'No Comment', as used elsewhere recently, would have been more appropriate, for 'No objection' is very easily and reasonably construed as being an informed and considered approval. **This is wrong, for CAAC has no knowledge of these trees to enable it to give any opinion at all.**

An anonymous page of typescript headed '*Trees trimming at 38, Kingsway PO21 4DL*' states that three of the six trees in the application for various surgery have been trimmed in the last 20 years. The applicant and his girlfriend cannot speak to this issue for they have lived in the house and area for less than 18 months. The LPA has, once again, admitted an anonymous – totally unattributed – quasi technical arboricultural report and even headed it '**Tree Survey**' on the website. CHECAA considers this outrageous for the very wordology in the document displays no arboricultural terminology at all.

There is little point in detailing this inadequate 'Tree Survey' but we will say it is preposterous that it has been accepted and posted as an official document. It is written: *'...some of these trees have grown out of all proportion to their settings, creating excessive shading and interference with other neighbouring trees and house.'* At para.1 it is said: *'Hornbeam (No.1,) this has grown out of proportion and is currently overshadowing both neighbouring trees and the neighbours house...Reduction of 3 long trunks growing in a north easterly direction ...to be reduced by 4 metres...pruning back lateral branches by 2 metres...light reduction of lower branches...'* All this is unprofessional and unspecific drivel giving little idea requirements of the application. **Even less, as with the whole of this application, it discloses no arboricultural; horticultural or other reasonable cause for removing one branch from any tree but CHECAA, of course, has not entered the site. Doing so may clarify the above.**

Posted on the website under 'Letter', 'R.S. Landscapes Richard Sinclair' also speaks of *'...2-3 long trunks growing in an North easterly direction...I would recommend a reduction of these stems by 4 metres and the pruning back of lateral branches... by 2 metres'.* **The trunk is the main vertical axis of a tree and this description does not originate from anyone with arboricultural training or significant knowledge of trees and we ask that it be rejected and ignored. 'R.S.Landscapes Richard Sinclair claims no knowledge or skills in tree surgery – it says 'LANDSCAPES' – just that!**

There is a suggestion that 'The Yew bushes...need to be hedge cut by a matter of a few inches' and it may well be that the Veteran Yews of Kingslawn would benefit from a very limited trim but that is a matter for the Consultant Arboriculturalist to determine.

Having considered the application as a whole, CHECAA cannot be satisfied that there is justification for the work so amateurishly described and, in those circumstances, we ask that this application, as it stands, please be Refused.

Where there is mention of *'...these trees have grown out of all proportion to their settings...'* CHECAA responds that it has heard that one before when it was attempted to have a Yew tree felled: we objected and it stands today in No.38. The reality is that owners of Kingslawn have mindlessly sold off parts of the garden and made vast sums of money from house building in their garden. The attached plan (IMG_103) shows, edged in RED, the approximate garden boundary of No.38 as it was just a few years ago. Greed and profit have shrunk that garden but it has not taken away the highly significant amenity value of trees there in various gardens and, in particular, we refer to the Yew trees which are well over 100 years old and capable of living to well over a 1000 years – and as a tribute to our Royal Family.

CHECAA comprises over 200 members committed to the principles of conservation, as quoted from the Appeal Inspector above, and is well versed in the history of the area where recuperated King George the Fifth, with Queen Mary, in 1929.

It was Her Majesty who planted the Blue Cedar Atlantica Glauca, which stands today in the garden of nearby Queenslawn, 36 Kingsway **and the four Yews were part of the then established 'walk' which became known as the Royal Walk leading from Craigweil House (built in 1806) to the lawns of the estate and was used by the King and Queen. Other Yews are in nearby gardens and all are undoubtedly Veteran Trees which must be protected. Other remnants of the Royal Walk Yews are to be seen in surrounding gardens but many were felled by developers before designation.**

These trees were protected by the LPA because of their visual amenity value and their Royal historic connections. Unhappily, one view of them – from Queensway – has been obliterated by a recent ill-conceived decision to allow a 2 m high solid fence to be built in replacement of a 4' high fence. Taking away that amenity is conduct outwith the authority of the LPA, in our view, and we shall be addressing that issue separately. They are protected by the Area Tree Preservation Order BR/2/1958 and more recent TPO's not yet published for the public.

Please refuse this application as it stands.

Yours faithfully

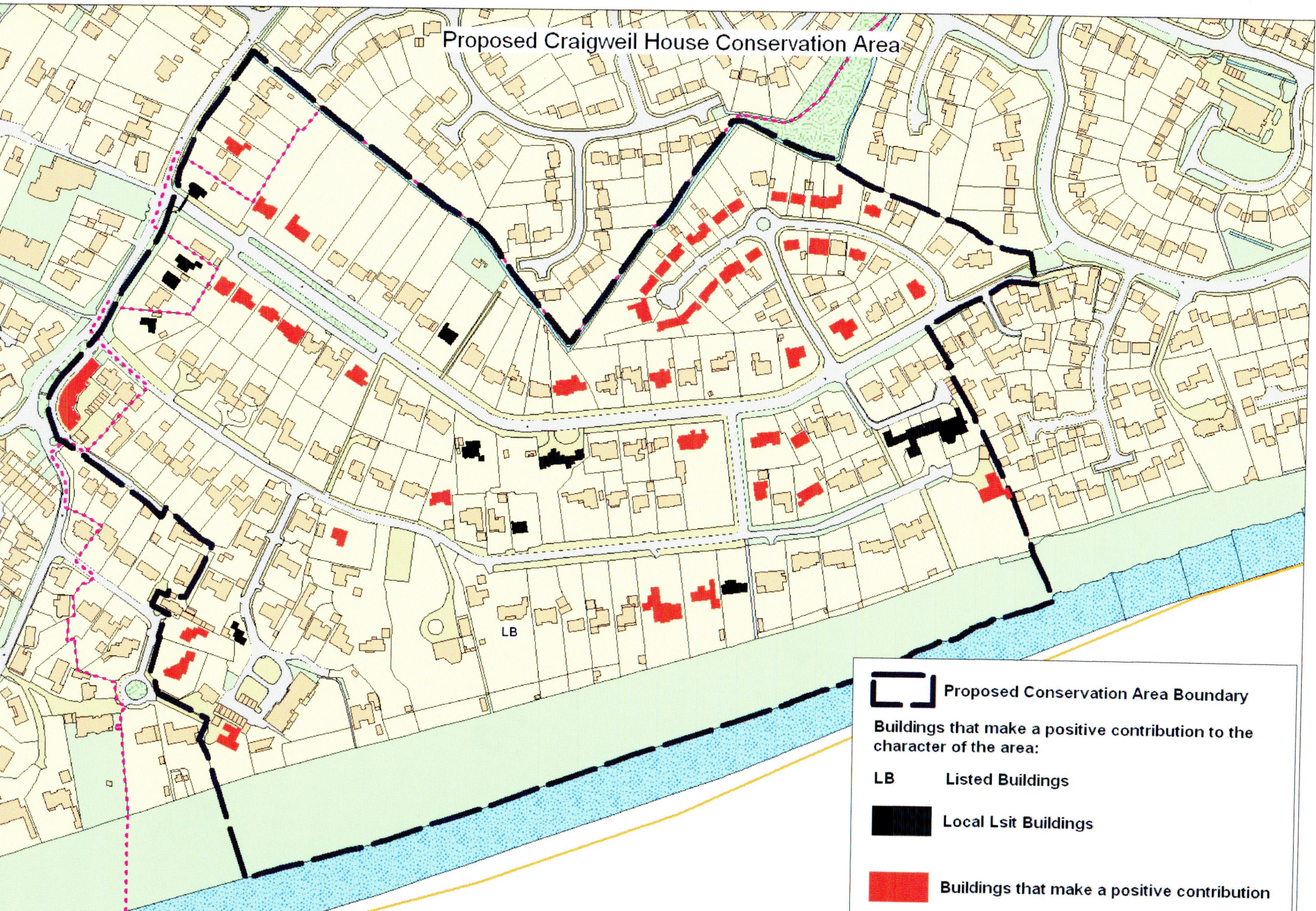
Richard D. Ostler
Chairman

Attached: Copy of CHCA Plan and copy of applicant's plan with original garden boundary edged in RED.

Established 20 January 2001

**Chairman: Richard D. Ostler: 'Silvergates', 52 The Drive, Craigweil-on-Sea, Aldwick, PO21 4DT
Registered under the Data Protection Act 1998**

Proposed Craigweil House Conservation Area

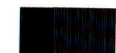


Proposed Conservation Area Boundary

Buildings that make a positive contribution to the character of the area:

LB

Listed Buildings



Local Listed Buildings



Buildings that make a positive contribution

1

983

QUEENSWAY

KINGSWAY

BM 5.64m

LB

+ 5.2m

KING

NORTH

SCALE 1/500

