

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (**REF NO:** **AW/335/13/T****LOCATION:** Kings Lawn
 38 Kingsway
 Bognor Regis West Sussex**PROPOSAL:** Various surgery to to 1x Hornbeam tree, 4 x Yew trees & 1 x Oak tree**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this application but various trees within and around the site.
BOUNDARY TREATMENT	White ranch type fencing to front of site with hedging behind approximately 1.2m-1.5m in height, north side boundary has part ranch type fencing and close boarded fencing approximately 1.8m in height, east side boundary has flint wall approximately 1.8m in height, rear has brick wall approximately 1.8m in height.
SITE CHARACTERISTICS	Detached two storey property with integral garage. The property has smooth rendered walls painted white, brown tiled roof with white window frames.
CHARACTER OF LOCALITY	Within the Craigweil House Conservation Area and Area of Special Character. Private residential estate comprising detached properties of various styles and designs, some of notable character.

RELEVANT SITE HISTORY

AW/46/93/T	(1) Fell 1 Maple tree, (2) Crown reducing of 1 Holly Oak, (3) Fell 1 Oak and crown reducing of 1 Horse Chestnut,	ApproveConditionally 21-05-1993
AW/144/94/T	Deadwood 1 Yew tree in south west corner of garden and one Beech tree on adjoining property.	ApproveConditionally 19-12-1994
AW/223/05/T	Remove one years growth from three domed yew hedges.	ApproveConditionally 10-11-2005

AW/161/06/T

Surgery to 1no. English Oak tree and fell 1no. Refused
Yew tree.

30-08-2006

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Members agreed that the Arun Arboriculturist is consulted regarding this application and that his professional recommendations/decision is applied. However, members expressed concern at the lack of detail regarding what surgery was being applied for.

3 Letters Of Objection

The site is within an Area of Special Character but also within the Craigweil House Conservation Area. The language and description of application is not that of a tree surgeon and is ambiguous and obtuse. Lack of detail concerning the treatment of the trees in this application, leading me to believe that less than professional advice has been sought. All trees in this property need to be treated sensitively. The Yew trees date back to the time when the estate was privately owned by the DuCros Family in the 1930's.

Craigweil House and its Environs Conservation Area Association are concerned that the well being of these trees and in particular the four Yew trees should 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. It may be better, in the interests of good horticultural and arboricultural practice to be spread over two seasons or more. The trees are of exceptional amenity value and are an integral part of the Craigweil Private Estate. Only minimal cutting back of limbs on all these trees should be allowed and then only for sound arboricultural reasons. The four Yew trees were part of the 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. These trees were protected by the LPA under TPO/2/1958 for their visual amenity value and their Royal historic connections. CHECAA cannot be satisfied that there is justification for the work so amateurishly described and, in those circumstances as it stands should be refused.

Comments on Representations received:

Parish Council and Objection comments noted
See Arboriculturist's recommendation.

CONSULTATIONS

Council's Arboriculturist
Conservation Officer

Consultations responses received:

Consultant Arboriculturist

General Observation - Whilst I do not object to the principles of controlling the vegetation in this garden I question the degree of pruning that has been requested especially for the English Yews T4/5/6 which have historic connections to times when royalty occupied this area plus there is a risk that they would not respond to such a heavy prune and it would destroy their amenity value in the short term and possibly the long term as well.

T1 Hornbeam *Carpinus betulus* Height - 15m : Avg Spread - 9m : Age - Mature

There are two or three long laterals which grow to the northeast side and now rest on the roof of

the adjacent building and will soon cause damage if they have not already done so by cracking and dislodging roof tiles. In addition to this the density of branch work and foliage dominates the rear of the neighbours house and garden and cuts out a significant amount of light. Thus a reduction of 4m although not normally permitted would be needed in this instance to get these laterals under control and back to a position where they are clear of the roof and I feel that the tree can cope with this as it is a vigorous and healthy tree. I also agree that shortening the lateral spread by a maximum of 2m to the north and east sides ONLY will be beneficial for both owners and improve the situation for the suppressed Yews beneath this tree. However, 'lightly' shortening the lateral spread to the south and west sides is not advisable as this is the face that the tree presents to the prevailing wind and once you open this out the wind can wreak havoc inside the crown and it also disrupts the defensive wind pattern that an intact crown possesses.

T2 English Yew *Taxus baccata* Height - 10m : Avge Spread - 4m : Age - Early-Mature

This Yew tree is suppressed and has a weaker crown than others in this garden for this reason but to reduce it very heavily by 2m to 3m will not I feel get the response that the Landscape contractor is seeking. In fact it is my view that it will make matters worse and the tree will dieback even more. Better to crown lift the Hornbeam (not applied for and they may wish to consider this on another occasion) off the Yew to give it more light and also apply an organic matter (e.g. well rotted horse manure) feed around the base and fork this in. Combine this with a much lighter crown reduction to remove dieback and dead tips and see how the tree responds over the next few years and if it does then a heavier prune may then be justified.

T3 Pedunculate Oak *Quercus robur* Height - 16m : Avge Spread - 7m : Age - Early-Mature

Full of deadwood and dieback in the upper reaches due to salt laden winds and this should be removed and tidied. The tree has a crown weighting to the north side towards the house and this is out of character with the remainder of the crown shape and I can see the justification for tipping back the overlong branches in this direction ONLY.

T4/5/6 English Yews *Taxus baccata* Height - 4m : Avge Spread - 3m : Age - Early-Mature

These trees are older than they appear and once formed part of the walkway to the drive leading from the old house to the sea that was used by royalty on their visits to the resort - thus there is a historic value attached to these trees as well as their current amenity value and merit thus any works must be sensitive and reflect this value. There is a conflict in the paperwork between the Landscape contractors request to 'hedge cut by a matter of a few inches' and the owners request to 'round bushes need to be reduced by approximately 0.5 metres at the crown and its diameter in order to return them to the same size that they were trimmed 3 years ago. I discussed this with the owner in person out on site and explained that to cut them in the manner that he has requested will be detrimental to their health and vitality and with a tape measure demonstrated that this would mean cutting them back to bare brown braches with no foliage in the hope that they would leaf up again. There is a high risk that they will not do so and their amenity value will be compromised and indeed destroyed. Given their historic and amenity value I cannot allow this to happen. It was pointed out to me that the Landscape contractor who would undertake these works also trims the Yews on the adjacent property to the south and this is a case of using power shears to lightly trim back the growth to the natural rounded form and always leaving live growth visible and not going beyond this point. This would be an acceptable way to prune these trees but will not address the owners desire to see these trees reduced in size as they almost touch and merge crowns. I can sympathise with the request to try to reduce the area that these trees currently occupy but this must be done very carefully and in stages so that we can gauge the trees response to the pruning and adjust subsequent pruning levels accordingly.

CONCLUSIONS:

T1 - Hornbeam

Approve of the reduction of the three laterals to the northeast side ONLY by a maximum of 4m and the reduction of laterals to the north and east sides ONLY by a maximum of 2m. I Object to any reduction of the laterals to the south and west sides of this tree and recommend refusal of this work.

T2 English Yew

I Object to the reduction and reshaping of the crown of this tree by 2m to 3m and recommend refusal of this work. Approve - If the owner is prepared to revise his application to read 'reduction in height ONLY by 1m maximum and rounding off the top so as not to leave it flat in appearance'.

T3 Pedunculate Oak

Approve of the reduction of the laterals to the north side ONLY by a maximum of 1m.

T4/5/6 English Yews -

I Object to the reduction and reshaping of the crowns of these trees by 0.5m and recommend refusal of this work. Approve - If the owner is prepared to revise his application to read 'reduce and reshape the crowns overall with the use of hand operated or powered shears reducing the laterals by a maximum of 200mm to 300mm to leave a rounded and compact form and under no circumstances are bare branches devoid of living foliage to be left'

Condition To Be Applied to All Approved Works: -

Where whole branches are to be removed final cuts close to the trunk or branch union are to be made as shown in Figure 2 of BS3998:2010 and all shortened branches are to be cut at the correct angle (see also BS3998:2010) and adjacent to a live bud or lateral.

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

Conservation Officer

Awaited.

Conservation Area Advisory Committee

No objection.

Comments on Consultation responses:

Arboriculturist comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Within the Craigweil House Conservation Area

Area of Special Character

Art 4 Direction

PD Restriction

No Public Sewer

DEVELOPMENT PLAN POLICIES

[AREA1](#)

Areas of Special Character

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 Oak, Hornbeam and four Yew trees are sited in the rear garden of the property and are within the Craigweil House Conservation Area and Area of Special Character. The Yew trees cover a large proportion of the rear garden and are of visual amenity value. They also have historical connections in that they were part of the established gardens of Craigweil House which became known as the Royal Walk leading from Craigweil House to the lawns of the estate and was used by the King and Queen.

The application seeks to reduce three of the Yew trees (T4, T5 & T6) by 0.5m at the crown and diameter in order to return them to the same size as previously trimmed three years ago thereby reducing the amount of ground that they take up in the garden. The fourth Yew tree (T2) which is growing close to the Hornbeam has become leggy and is showing lack of light induced dieback and requires a height reduction of 2m-3m.

The Hornbeam (T1) which has grown out of proportion is to be reduced by 4m with pruning back of lateral branches away from the house and neighbours garden by 2m with a light reduction of lower branches on the side that faces the prevailing wind.

The Oak tree (T3) adjacent to the Yew tree is growing away from the prevailing winds and a light pruning of 1m is proposed to stop encroachment of the canopy towards the house.

The Arboriculturist has inspected the trees and whilst he does not object to the principles of controlling the vegetation in this garden he has raised an objection to the degree of pruning that has been requested.

In view of his comments the application is recommended for refusal.

RECOMMENDATION

REFUSE

- 1 The trees make a significant contribution to the character of the Conservation Area and Area of Special Character and the proposed surgery would result in excessive reduction of the tree's landscape impact and detrimental to their health and vitality.