AW/4/08/T

TREE WORKS TO TPO TREES REPORT

DESCRIPTION/ ADDRESS	-	Crown lift by removing lateral branches to give 5 metres clearance and crown clean to one Oak tree. 1 Ely Gardens, Aldwick

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	There is a similar sized Oak tree alongside the one subject to this application in the rear garden of 4 Robins Drive.
BOUNDARY TREATMENT	The Oak tree is outside of the boundary fence of 1 Ely Gardens. It is standing to the side of the public footpath that runs behind Ely Gardens.
SITE CHARACTERISTICS	1 Ely Gardens is a semi-detached bungalow with brown brick elevations and a shared gable tiled roof. There is a detached flat roof garage on the western boundary and a rear conservatory.
CHARACTER OF LOCALITY	The site is located on a cul de sac in a residential area which is semi-detached bungalows of similar sizes and design. A public footpath runs behind the rear gardens of Ely Gardens and there a number of Oak trees at various intervals alongside the path. The Oak tree is visually prominent from the footpath and the crown can be clearly seen from Ely gardens. In addition, the top parts of the tree, along with others nearby can be seen from Westminster Drive.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
AW/96/02/T	Surgery to one Oak Tree	Approved Conditionally: 07-08-2002

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Aldwick Parish Council	Objection. No arboricultural justification. The tree has significant public amenity value.
Local Groups	None
Two Letters of Objection.	The tree is only just recovering from previous works carried out in 2002. The tree is attractive and healthy. The work will destroy the shape of the tree. It is an amenity tree.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council's Arboriculturalist	This is a superb specimen of its type and was in fact worked upon about three or four years ago when a reduction in height was made to the tree.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	This has induced quite an element of good new growth in the height around the tree and it enhances the area quite considerably. The tree itself is some ten metres high with an overall spread in most directions of between four and five metres and in this respect it does encroach on the adjoining garden. However, that should not detract from its stature, and also emphasises the fact that there is not any real necessity to do any work on this tree. There is no compelling reason to do any work on this tree as it would be considered far too drastic on a tree of this stature. It may be that in the future, the crown be reduced, but this will only produce a mass of new growth which is completely unnecessary and uncharacteristic of this particular tree.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built Up Area Tree Preservation Order:

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1
Arun District Local Plan : GEN2, GEN28

PLANNING POLICY GUIDANCE

PPS1	-	Delivering Sustainable Development
Circular 36/78	-	DETR TPO's: A Guide to the Law and Good Practice

POLICY COMMENTARY

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

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

Noted.

ASSESSMENT OF PROPOSAL

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

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 tree helps to mark the path of the footpath to the rear of the property and is visible from not only from Ely Gardens but also from Westminster Drive and Robins Drive. It is considered to have a significant amenity value and to be influential in defining the character and appearance of the immediate area. Whilst it is accepted that the tree does cause an extent of blockage of sunlight to close by gardens, it's orientation roughly to the north or south of the nearest gardens means that it is not in the direct line of sunlight.

Further, the Council's Arboriculturalist has noted that the proposed works will greatly reduce the visual presence of the tree and will also be poor for the trees long term health and stature.

It is therefore recommended that this application be refused for the following reason.

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RECOMMENDATION

ARUN
DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS 1999

RECOMMENDATION

Application Ref: AW/4/08/T

1 **To Addressee**

2 **Site Address**

1 Ely Gardens
Aldwick

3 **Description of Development**

Crown lift by removing lateral branches to give 5 metres clearence and crown clean to one Oak tree.

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RECOMMENDATION

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REASON 1 The tree is a significant feature in the local landscape and appears to be in adequately sound and healthy condition. The tree surgery proposed in the application would result in excessive reduction of the tree's landscape impact and undue detriment to the visual amenities of the locality, in conflict with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Case Officer: Mr J Smith

5th February 2008

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT