

Planning Officer: Miss Z Toppin

Planning Application Ref: **AW/67/21/T**

Location: **35 Fernhurst Gardens, Aldwick, PO21 4BA**

Description of works: **Fell 1no. oak tree (T1)**

Reasons given: 1. Excessive boundary overhang 2. Interfering with growth of neighbouring tree(s) 3. Health and safety (split limbs/branches)

Comments on Application:

Pedunculate oak / *Quercus robur* Group height: 10-15m Group radial spread: 5-10m Age class: Early mature

- T1 grows as a major component of what may be 3 or 4 four individual, closely spaced trees. They are a cohesive group and inevitably share a large crown profile. This is highly visible from surrounding properties and in part to users of publicly accessible land. Important constituents of an established long (broken) line of trees which help define the character of the area, they represent a significant public amenity.
- Outwardly and from distance this group of oak 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).
- Given the apparent health and size/proximity of the tree(s), boundary overhang is of itself desirable to an extent, from both visual amenity and tree health perspectives. This needs to be balanced against the occupier's right to reasonable enjoyment of their property.

Conclusions:

- The applicant has not submitted any written arboricultural advice from an appropriate expert in support of the reasons given for the proposed work. As such, this tree continues to provide significant visual amenity and has not been proven to present an unacceptable level of risk for its location or inhibit success of any superior companion tree - so should be retained.
- I am unable to concur with reasons given as being sufficient to justify the work proposal.
- It is not unreasonable to consider garden shading as excessive and to some extent detracting from enjoyment of that space.

Recommendations:

- As it stands, I recommend **REFUSAL** for this application.
- **I would like the applicant to be invited to agree to a revised proposal for lesser works** (such as described below) as part of the current application so as not to incur further delay. Such work would go some way to addressing their concerns whilst preventing a diminution of the tree's landscape and public amenity value:

T1 Oak

- Reduce radial spread (east aspect only) to leave a minimum of 6m from nearside of stem base (2-3m reduction in length).

- Crown lift (removal/reduction of low branches) to achieve a maximum of 4m overhead clearance directly above rear garden.

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- If the applicant is prepared to re-submit in line with this advice, then I would be able to recommend APPROVAL subject to the following condition:

Condition to Be Applied to Approved Work: -

- Part a) 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
- Part b) 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.

- See also the standard pruning guidance notes issued with the consent letter

Advisory:

- The long-term vitality of the tree is best respected when significant pruning work such as proposed, is undertaken during the late spring to summer period (May to August). The work proposed should only be undertaken during this period.
- The applicant is aware of 3rd party ownership of this tree, nevertheless we are obliged to advise that where trees are situated on land not owned by the applicant the granting of consent by this authority does not by association give permission to undertake such works that require access onto/from that land. Additional permission must first be obtained from the land/tree owner.

Mark Warwick

Tree Officer / Parks and Greenspace Team

Figure 2 Positions of final cuts

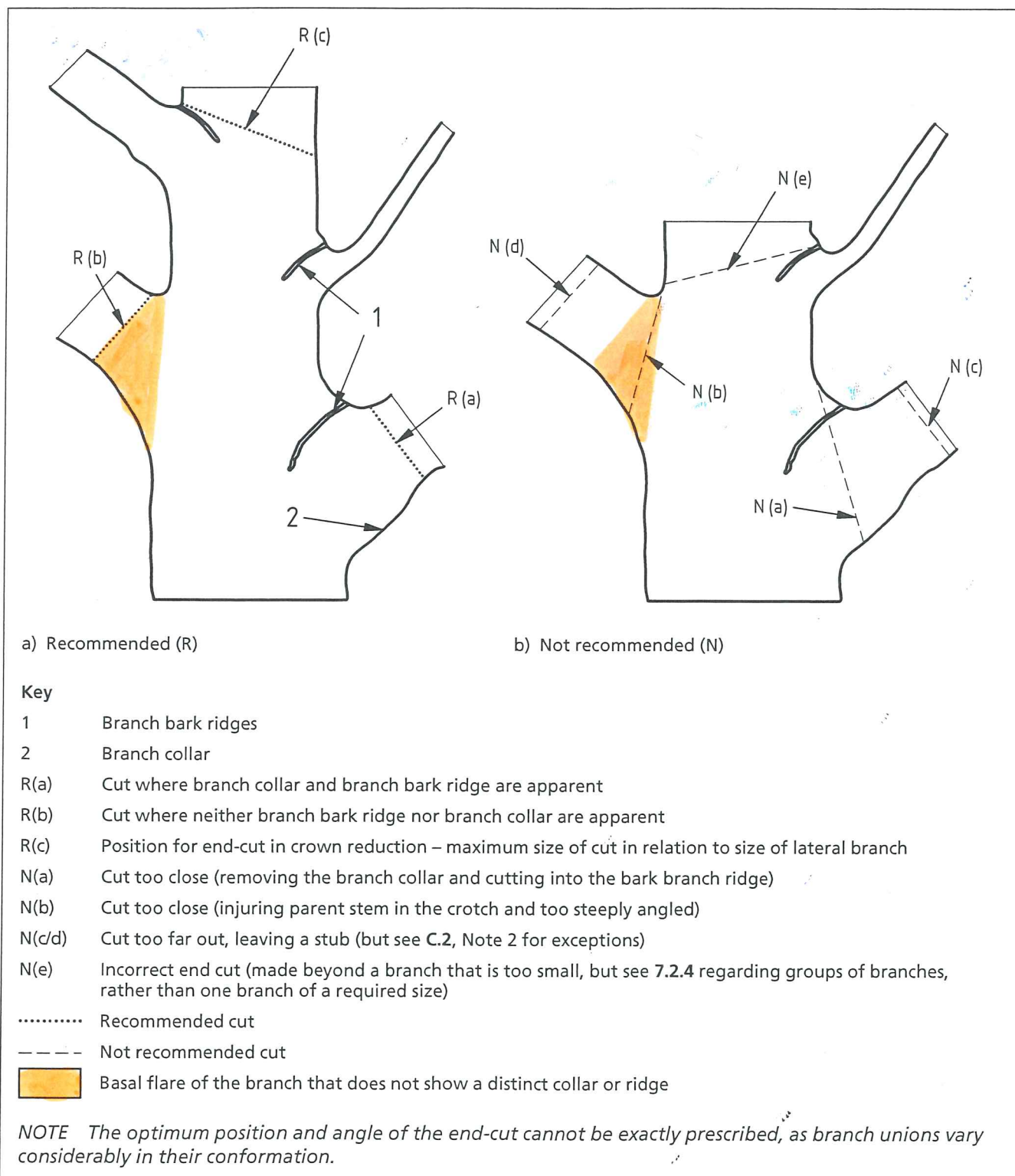


Figure 3 Crown lifting

