

[REDACTED]

From: Rob Huntley [REDACTED]
Sent: 16 March 2015 10:04
To: Anita Gardner
Subject: RE: A/10/15/PL -2 no. houses with garages - Land at West Drive, Angmering

Dear Ms Gardner,

Attached is the Arboricultural Constraints and Tree Survey Report to which the Tree Survey drawing previously submitted relates. As you will know, the Trees referred to in that Report as GRP2 (in the NE corner of the site), were replaced by new planting as a result of the TPO Appeal Decision dated 20 June 2011. For convenience I attach a copy of that appeal decision letter.

RHPC
Rob Huntley BSc DipTP MRTPI
[REDACTED]

<http://www.rtpiconsultants.com/consultant/main/1294>

From: Anita Gardner [<mailto:Anita.Gardner@arun.gov.uk>]
Sent: 16 March 2015 09:50
[REDACTED]
Subject: A/10/15/PL -2 no. houses with garages - Land at West Drive, Angmering

Dear Mr Huntley,

I refer to the above application. The Council's arboricultural officer has queried that there is no tree report , only a tree survey plan. It may be that a report was submitted with the application and has not been scanned. I would therefore appreciate receipt of a further copy so that this can be considered as part of the application.

Many thanks

Anita Gardner

Anita Gardner | Principal Planner, Planning Department, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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ARBORICULTURAL CONSTRAINTS ASSESSMENT

for

West Drive, Angmering, West Sussex

*-prepared on behalf of **Hargreaves** -*

Bernie Harverson M.Arb.

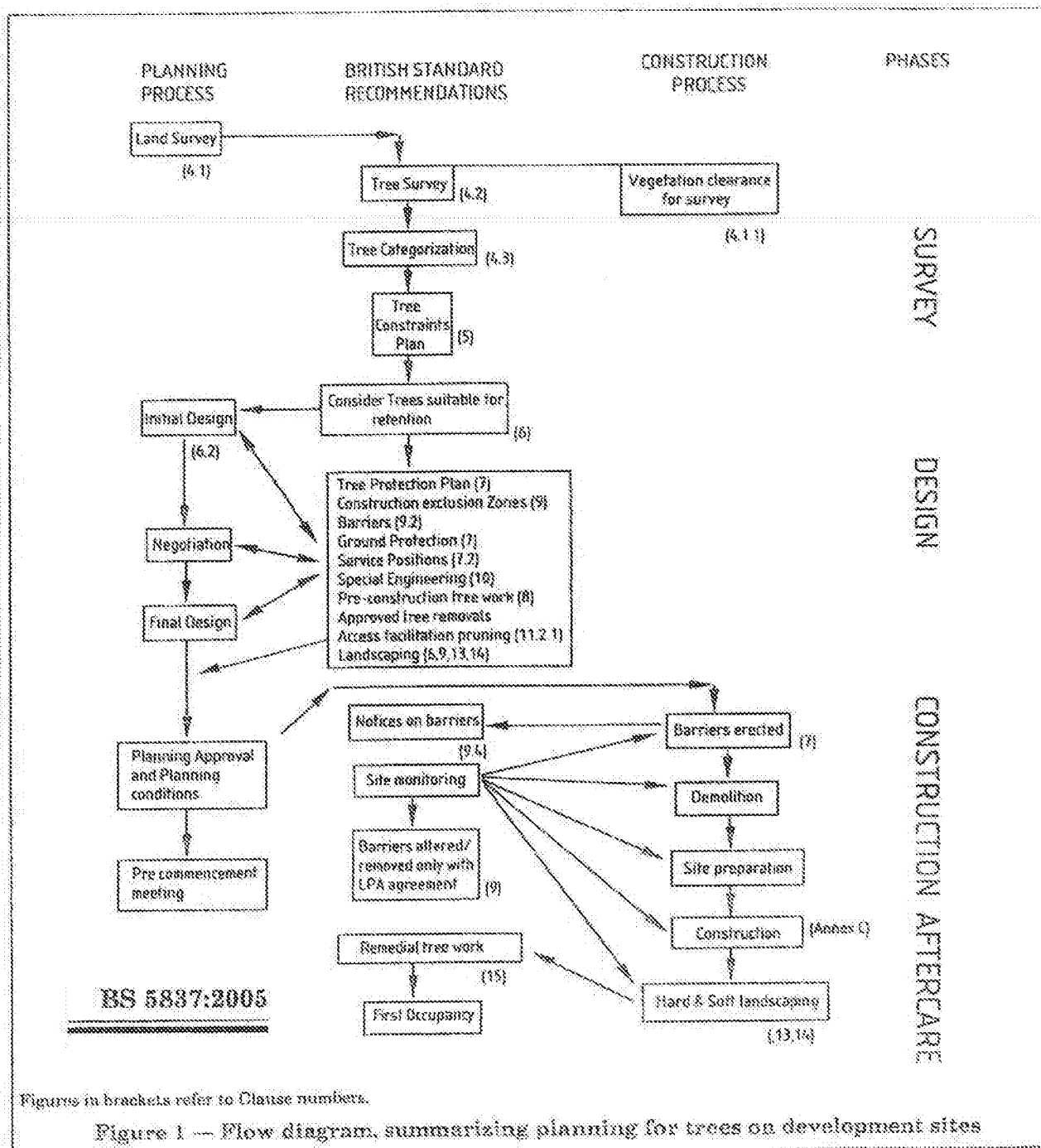
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Tree Survey Schedule

+ T/S Notes & BS5837 Flow Diagram





TREE SURVEY NOTES

These Tree Survey Notes have been prepared in accordance with the recommendations of **British Standard 5837:2005** and define the criteria for pre-development tree surveys.

- Each tree/group has been allocated a unique number (**No.**). Where specifically commissioned small durable numbered metal tags can be applied to each tree/group surveyed.
- The tree species (**Species**) is provided in both English and Latin formats.
- Height assessments (**Ht**) are estimated in metres. This will be adequate for the majority of cases, but where accurate heights become a critical issue it may be necessary to return to site, as a separately commissioned exercise, to collect accurate measurements with the aid of optical instruments.
- Trunk/stem diameters (**Trunk Diam**) are measured in millimetres at 1.5m above ground level and denoted as **S** single stemmed trees or **M** for multi-stemmed trees which are measured immediately above the root flare.
- Radial crown spread assessments (**Brch Sprd**) are estimated in metres from the centre of the trunk/group to each of the four primary points of the compass (**N**-north; **E**-east; **S**-south and **W**-west) in order to achieve a representation of the crown shape which will be recorded on the accompanying tree survey plan. These provide a general guide as to the main bulk outline of a tree/groups crown but are not tape measured dimensions. These would only be undertaken as part of a separately commissioned exercise, where precise dimensions are critical to the project at hand.
- The average ground clearance (**Grd Cl**) is estimated and shown in metres.
- An assessment of a tree/groups age (**Age**) class is made in terms of its site specific maturity as part of the surrounding landscape, taking into account its overall shape and form in that setting, and is recorded thus :-

Y	-	Young tree/group
MA	-	Middle – aged tree/group
M	-	Mature tree/group
OM	-	Over – mature tree/group
V	-	Veteran tree/group

- An assessment of a tree/groups overall physiological condition (**Pm**) is recorded as :-

G	-	Good
F	-	Fair
P	-	Poor
D	-	Dead

- Data on the structural condition (**Condition Comments**) of the tree/group is provided to give an indication of its visual appearance and any significant health and safety issues.
- Details of necessary tree works required at the time of survey is given under the heading – **Preliminary Management Recommendations**
- An estimate of a tree/groups future life expectancy (**Rem Cont**) is made and is recorded thus :-
1-10; 10-20; 20-30; 30-40 or >40 years.
- The category grading (**Cat**) for each tree/group is assessed according to the criteria provided within **BS5837:2005**. The assessment is made of the tree/group in its current condition and within the environment encountered bearing in mind its suitability for retention as part of any future proposed development; although the exact layout detail of any specific scheme will not be known at the time of surveying. The trees have been classified into one of four categories and colour coded as BS5837 recommends - ■ (dark red); ■ (light green); ■ (mid-blue) and ■ (grey). Please note that the numerical sub-categories which are also applied are for guidance only and do not carry any cumulative or increased value for the tree/group. This colour coding scheme will be applied to all drawings provided.

Table 1 – Cascade chart for tree quality assessment

TREES FOR REMOVAL				
Category and definition	Criteria			Colour on plan
Category I Those in such a condition that any existing value would be lost within 10 years and which should, in current context, be removed for reasons of sound arboricultural management.	- Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unstable after removal of other R category trees (i.e. where, for whatever reason the loss of companion shelter cannot be mitigated by pruning) - Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline - Trees infected with pathogens of significance to the health and/or safety of other trees nearby (e.g. Dutch Elm Disease), or very low quality trees suppressing adjacent trees of better quality			Dark Red
TREES TO BE CONSIDERED FOR RETENTION				
	Criteria – Subcategories			
	1	2	3	
Category II – Those of high quality and value: in such a condition as to be able to make a substantial contribution (a minimum of 40 years is suggested)	Trees that are particularly good examples of their species, especially if rare or unusual, or essential components of groups, or of formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands which provide a definite screening or softening effect to the locality in relation to views into or out of the site, or those of particularly visual importance (e.g. avenues or other arboricultural features assessed as groups)	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	Light Green
Category III – Those of moderate quality and value: in such a condition as to make a significant contribution (a minimum of 20 years is suggested)	Trees that might be included in the high category, but are downgraded because of impaired condition(e.g. presence of remediable defects including unsympathetic past management and minor storm damage)	Trees present in numbers, usually as groups or woodlands, such that they form distinct landscape features, thereby attracting a higher collective rating than they might as individuals but which are not, individually, essential components of formal or semi-formal arboricultural features (e.g. trees of moderate quality within an avenue that includes better, A category specimens), or trees situated mainly internally to the site, therefore individually having little visual impact on the wider locality	Trees with clearly identifiable conservation or other cultural benefits	Mid Blue
Category IV – Those of low quality and value: currently in adequate condition to remain until new planting could be established (a minimum of 10 years is suggested), or young trees with a stem diameter below 150mm	Trees not qualifying in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater landscape value, and/or trees offering low or only temporary screening benefit	Trees with very limited conservation or other cultural benefits	Grey
Note: Whilst C category trees will usually not be retained where they would impose a significant constraint on development, young trees with a stem diameter of less than 150mm should be considered for relocation				



TREE SURVEY SCHEDULE

Client : Hargreaves

Site Location : West Drive, Angmering, West Sussex

Surveyors : Bernie Harverson *M.Arb.*

Date Surveyed : 2nd August 2010

No.	Species	Ht m	S / M	Trunk Dia mm	Bech Sprd m	Gr Cl m	Age	F	Condition Comments	Preliminary Management Recommendations	Rem Con in yrs	Cat
Grp 1	Birches x 3 of	10	S	150	N2 E2 S2 W2	0	Y	F	Low branching habit –fair shape and form – showing signs of drought stress and crown dieback and thinning	Apply water to relieve drought stress symptoms and maintain trees in good order	30- 40	B2
Grp 2	Sycamores x 7 of Sweet Chestnut x 1 of	14 to 17	S & M	120 to 500	N- E- S- W-	3	MA	P	Some suckering around bases-mostly single stemmed trees-crown shapes distorted by group pressures-some dead wood present	No works required at this time	20- 30	C2
T1	Common Lime <i>Tilia x europaea</i>	25	S	770	N6 E6 S4 W4	2	M	G	Basal suckers-some dead wood and stubs	Remove basal suckers	>40	A1
T2	Common Lime <i>Tilia x europaea</i>	23	S	800	N6 E6 S5 W3	1.5	M	G	Basal suckers-some dead wood and stubs- bifurcated at 2.5m	No works required at this time	>40	B1
T3	Turkey Oak <i>Quercus cerris</i>	18	S	460	N3 E6 S6 W4	3	MA	F	Dead ivy on trunk suppressed to the north and west sides-small bark wound oozing bacterial slime low down on north side of tree	No works required at this time	>40	B1
Grp 3	Sycamores x 6 of	14 to 18	M	500	N3 E3 S3 W3	2	MA	P	Multi-stemmed at ground level- some small diameter deadwood	No works required at this time	20- 30	C2

T4	Turkey Oak <i>Quercus cerris</i>	16	S	400	N2 E6 S3 W6	6	MA	F	Crown shape dictated by group pressures-suppressed to the north and south sides-some deadwood present-high crown lifted	No works required at this time	30-40	C1
Grp 4	Sycamores	8 to 10	M	350	N1 E2 S1 W4	1	Y	P	Basal suckering-crown shape dictated by group pressures-suppressed	No works required at this time	10-20	C2
T5	Sycamore <i>Acer pseudoplatanus</i>	20	S	600	N4 E6 S4 W6	10	M	F	Basal suckers-some major dead branches-large cavities in old pruning wounds	Climbing inspection advised to verify safety of crown in view of cavities	30-40	B1 / C1
T6	Sycamore <i>Acer pseudoplatanus</i>	18	S	470	N3 E3 S5 W5	6	M	P	Basal suckers-low crown density-some deadwood	No works required at this time	30-40	B1 / C1
T7	Sycamore <i>Acer pseudoplatanus</i>	18	S	550	N6 E4 S8 W5	5	M	F	Low crown density-high crown lifted	No works required at this time	30-40	B1 / C1
Grp 5	Sycamores x 2 of	10	M	120 & 150	N2 E2 S4 W2	1.5	Y	P	Crown shapes dictated by group pressures-poor quality trees of limited value	No works required at this time	10-20	C2
T8	Sycamore <i>Acer pseudoplatanus</i>	14	S	250	N6 E2 S3 W2	5	MA	P	Crown shapes dictated by group pressures-crown weighted to the north	No works required at this time	20-30	C1
T9	Turkey Oak <i>Quercus cerris</i>	14	S	160	N4 E1 S0 W1	5	MA	P	Crown shapes dictated by group pressures-crown weighted to the north-low crown density	No works required at this time	20-30	C1
T10	Sycamore <i>Acer pseudoplatanus</i>	14	S	400	N0 E2 S7 W2	3	MA	P	Crown shapes dictated by group pressures-crown weighted to the south side	No works required at this time	20-30	C1

T11	Sycamore <i>Acer pseudoplatanus</i>	14	M	700	N8 E2 S6 W3	3	MA	P	Multi-stemmed at ground level-tight forks with included bark-crown shape dictated by group pressures	No works required at this time	20-30	C1
T12	Sycamore <i>Acer pseudoplatanus</i>	12	M	600	N8 E1 S4 W5	2	MA	P	Multi-stemmed at ground level-tight forks with included bark-crown shape dictated by group pressures	No works required at this time	20-30	C1



Root Protection Area Schedule



ROOT PROTECTION AREA SCHEDULE

Client : Hargreaves

Site Location : West Drive, Angmering, West Sussex

Tree No.	Tree Species	Cat	Single or Multi Stem	Diam mm	BS5837:2005 Table2-Radial Protect. Zone m	BS5837:2005 Table2-Root Protect. Area m ²	Is An Offset Required To Cater For Existing Rooting Pattern Restrictions
Grp 1	Birches x 3 of	B2	S	150	1.8	10.2	NO – pressures all around these trees cancel each other out
Grp 2	Sycamores x 7 of Sweet Chestnut x 1 of	C2	S & M	120 to 500	1.5 5.0	6.5 78.6	YES – mutual suppression within group but free rooting to outer edges-will tend to root more out into the open areas
T1	Common Lime <i>Tilia x europaea</i>	A1	S	770	9.3	268.3	YES – road and levels changes will tend to focus rooting out into the open areas
T2	Common Lime <i>Tilia x europaea</i>	B1	S	800	9.6	289.6	YES – road and levels changes will tend to focus rooting out into the open areas
T3	Turkey Oak <i>Quercus cerris</i>	B1	S	460	5.5	95.8	YES – competition to the north will focus rooting to the south side
Grp 3	Sycamores x 6 of	C2	M	500	5.0	78.6	NO – mutual suppression but not sufficient to increase rooting to any particular direction

T4	Turkey Oak <i>Quercus cerris</i>	C1	S	400	4.8	72.4	NO – fairly free rooting to all sides
Grp 4	Sycamores	C2	M	350	3.5	38.5	NO – mutual suppression but not sufficient to increase rooting to any particular direction
T5	Sycamore <i>Acer pseudoplatanus</i>	B1 / C1	S	600	7.2	162.9	NO – fairly free rooting to all sides
T6	Sycamore <i>Acer pseudoplatanus</i>	B1 / C1	S	470	5.7	100.0	NO – fairly free rooting to all sides
T7	Sycamore <i>Acer pseudoplatanus</i>	B1 / C1	S	550	6.6	136.9	NO – fairly free rooting to all sides
Grp 5	Sycamores x 2 of	C2	M	120 & 150	1.5	7.1	NO – mutual suppression but not sufficient to increase rooting to any particular direction
T8	Sycamore <i>Acer pseudoplatanus</i>	C1	S	250	3.0	28.3	NO – fairly free rooting to all sides
T9	Turkey Oak <i>Quercus cerris</i>	C1	S	160	1.9	11.6	NO – fairly free rooting to all sides
T10	Sycamore <i>Acer pseudoplatanus</i>	C1	S	400	4.8	72.4	NO – pressures all around this tree cancel each other out

T11	Sycamore <i>Acer pseudoplatanus</i>	C1	M	700	7.0	154.0	YES – competition from other tree and hard surfacing to the south side will promote more rooting to the north side
T12	Sycamore <i>Acer pseudoplatanus</i>	C1	M	600	6.0	113.1	YES – competition from other tree and hard surfacing to the south side will promote more rooting to the north side



Tree Survey & Constraints Plan

(Attached as a separate AutoCAD drawing)



Qualifications & Experience



QUALIFICATIONS AND EXPERIENCE

- My name is Bernie Harverson and I am a self employed independent arboricultural consultant in private practice. I take instructions primarily in the South of England but also on occasions work nationwide and abroad and have offices at : –
3 Foxcombe Cottages, South Harting, West Sussex GU31 5PL and also at Cedar Court, 5 College Street, Petersfield
- I hold the following arboricultural qualification - **Master of Arboriculture** (Royal Forestry Society – 1976)
- I have over **forty** years of practical and managerial experience in the arboricultural industry including periods in both the public and private sectors.
- My Local Government sector experience comprises one year as a tree surgeon with Brighton Parks and nine years spent in Arboricultural Officer posts with both Westminster City Council and Portsmouth City Council
- My past practical experience in the private sector includes two years at Tilhill Forest Nursery and over ten years for various companies as a Climbing Arborist/Tree Surgeon.
- Managerial work in the private sector includes two years as manager of Beechings tree surgery company and twelve years with CBA Trees as an Arboricultural Consultant.
- As an independent self employed Arboricultural Consultant I now provide a comprehensive range of services including :-
tree surveys, appraisals, assessments and inspections with particular reference to planning and development and tree safety audits with a service offered as a climber to undertake full climbing inspections to better understand the condition of a given tree before prescribing a management strategy.
- I also undertake litigation work appearing as an Expert Witness in Court Actions and at Planning Appeals, Hearings and Public Local Inquiries.

Bernie Harverson M Arb

3 Foxcombe Cottages • South Harting • West Sussex • GU31 5PL
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Appeal Decision

Site visit made on 17 May 2011

by Jonathan Fulcher

an Arboricultural Inspector appointed by the Secretary of State for the Department for Communities and Local Government

Decision date: **20 JUN 2011**

Appeal Ref: APP/TPO/C3810/1710

**Land between Victoria Cottage and Taskers/Wentworth, West Drive,
Angmering, West Sussex BN16 4JF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent to fell 8 trees protected by a Tree Preservation Order.
- The appeal is made by Mr R Huntley of Rob Huntley Planning Consultancy as agent for Hargreaves against the decision of Arun District Council.
- The application Ref: A/159/10/T dated 24 November 2010 was refused by notice dated 25 January 2011.
- The proposed tree work is the felling of 8 sycamore trees.
- The relevant Tree Preservation Order is the Arun District Council Tree Preservation Order Ref: TPO/1/06/A which was confirmed on 27 November 2006.

Decision

1. I allow the appeal, subject to the following conditions:
 - (1) 7 replacement trees shall be planted at or near the same place as the appeal trees at locations to be agreed in writing with the local planning authority. The replacement trees shall be of sizes and species to be agreed in writing with the local planning authority and shall be planted within 12 months of the date of the removal of the 7 sycamores hereby permitted.
 - (2) This consent is valid for two years from the date of this decision after which the consent lapses.

Main Issues

2. In my view the main issues in this case are:-
 - i) The effects of the proposed felling on the character of the area and on amenity.
 - ii) Whether or not there are sufficient grounds for the works as proposed.

Preliminary matters

3. The original application did not explicitly state the number of trees to which the application applied, but referred to the Bernie Harverson arboricultural report ref BJH.0449 and the tree survey schedule attached to it. This identified 7 sycamores and one sweet chestnut in G2 of the schedule, and it is clear from

the supporting plans that the sycamores in this group are part of G4 of the TPO. The Arun District Council decision notice refers to 8 sycamore trees. I saw 7 sycamore trees on the site and one sweet chestnut. The first schedule of the TPO refers to G4 as 12 sycamores. There is no reference in the TPO first schedule to sweet chestnut. I am satisfied that the sweet chestnut is not included in this TPO and does not form part of this appeal. I will make my decision in relation to the 7 sycamores presently on site, as this appears to be the intent of the application and this approach does not disadvantage the parties to the appeal.

Reasons

The trees

4. The appeal trees are 7 sycamores in a small group, of up to about 16m in height and with trunk diameters up to about 40cm. Two of the sycamores have multiple trunks from ground level. Crown forms are narrow and upright, and the crowns of the single-stemmed trees are generally poorly formed with few branches, tending to be one-sided and drawn up in appearance. The trees stand at the north east end of an area of open ground on the west side of the carriageway of West Drive.

The effects of the proposed felling on amenity

5. West Drive is part of a small residential enclave on the west side of Angmering, set to the north of the A259 New Road and accessed from here by South Drive, with access to the east to Station Road and Angmering via East Drive. West Drive and its houses are separated from the main through route of the A259 by some 350m of arable fields, with golf courses to the west, north and east. Although it is possible to drive through the enclave from South Drive to Angmering via East Drive, the majority of the light traffic is for residential access and access to the golf courses and the enclave is secluded and quiet in character. There are many trees in the vicinity of the appeal trees, some on or close to the same piece of open ground and others in front and rear gardens of nearby properties. The fields to the south are edged with belts of trees and there are many trees in the golf courses to the west, north and east. The trees and buildings within West Drive form the horizons and limits of view and there are no long views into or out of the site of the appeal trees. Although individually the trees have little specimen merit, they have a degree of local prominence because they stand near the highway and together give the impression of a large single crown. They have little amenity significance beyond the part of West Drive in which they stand. I find that the appeal trees have moderate amenity value as a group and that their loss would have a moderate adverse effect on amenity.

Grounds for felling

6. I note from the letter dated 17 February 2010 (which I suspect should have been dated 2011 to judge by references in the letter to dates in August and November 2010) the submission from Bernie Harverson that trees have been removed from this group and from the close vicinity since 2008 and I agree with his comment that this has accentuated the etiolated nature of the trees and the unbalanced appearance of their crowns. I accept that the trees are

likely to have a limited life expectancy because of their form and habit and that they offer little in terms of long term amenity value.

7. I accept that the TPO as originally made sought to secure a feature of the area that the Local Planning Authority considered should be preserved. In fact the appeal trees are now all that remains of what is referred to in the appeal submissions as a large wooded area. Even as elements in a woodland, normal management would have included thinning to favour the better trees. The current form of the appeal trees is evidence that that management did not happen, to the detriment of the quality of the appeal trees. I do not agree that these trees serve to maintain the rural nature of the area. They are not mature (in the last third of their expected life), but young and although they appear to be in normal health, their form is generally poor. These trees appear to be naturally regenerated rather than purposefully planted, and have the character of trees too close in unmanaged and unthinned woodland. As a single-species group of uniform size and condition they do not represent the character of well-managed mixed woodland and in this respect are not typical of the local rural character.
8. The appeal trees will not develop new branches on their trunks and so their forms will not improve much in the long term. I accept that the trees help to stabilise the elevated ground on which they stand but there are other means of securing ground stability, including the planting of replacement trees. I have seen no evidence that the appeal trees provide sound amelioration or that they are necessary as a windbreak for properties in their leaf. I do not agree that the appeal trees are of extreme importance as a habitat. They offer little nesting cover for resident indigenous birds, and replacement vegetation including trees would provide a habitat as good as that provided by the appeal trees. I am not persuaded that these matters taken together give significant weight to the arguments for the retention of the trees in amenity terms.
9. Two planning decisions are included in the appeal submissions. One is permission given on 29 September 2006 for an outline application for the erection of 2 detached dwellings and detached double garages on land at West Drive, the location of the appeal trees. The other, dated 22 February 2007, is the approval of reserved matters relating to the outline application. The plan included with these submissions indicates a detached garage close to the appeal trees. Allowing for inaccuracies of copying and scale, the garage appears to be well within the root protection zones (as recommended in BS 5837:2005 *Trees in relation to construction*) of nearby appeal trees. If this is the permitted plan, it does not accord with the principal requirement of condition 4 of the outline permission. This requires that protective fencing is erected 5m from the trunks of retained trees. The conditions of the consent refer to tree protective fencing, the installation of services near trees and a general requirement for detail of measures for the protection of the trees. Neither consent refers to the provision of comprehensive tree protection details in an arboricultural method statement and tree protection plan, as recommended in BS 5837. This is relevant because the indicated layout suggests that the development cannot be implemented without harm to the trees, notwithstanding compliance with such conditions as refer to trees.
10. The grant of planning permission for development has established a change in the character of the land on which the appeal trees stand, and confirmed that it

is suitable for development. This changes the way in which the management of the appeal trees should be considered. In this respect I agree with Bernie Harverson that reference to paragraphs 6.1 and 6.3 of BS 5837 is relevant, and is a persuasive argument for removing the trees. I also agree that new planting is appropriate and could be an improvement in terms of tree quality and variety.

Conclusions

11. I find that the appeal trees have modest localised amenity value, and that their removal would have a moderate and local adverse amenity impact.
12. I find that although the trees give the impression of a single crown, they are individually of little merit, with poor form, poor habit and poor long-term prospects.
13. I am satisfied that the appeal trees do not serve to maintain the rural nature of the area because they are of a single species, generally the same age and of similar size, features that are not characteristic of typical semi-natural woodland.
14. I find that the appeal trees are not of extreme importance as a habitat and that the matters of sound amelioration, modification of wind, drainage and ground stability do not outweigh the poor character of the trees.
15. The planning permission further changes the circumstances in which the appeal trees need to be considered, and I find that removing these trees is reasonable management in the circumstances.
16. I consider that in consideration of all the circumstances the grounds for felling outweigh the adverse effects on the local amenity and can be partially ameliorated by replacement planting, and I therefore allow the appeal, subject to replacement planting conditions.


Arboricultural Inspector