

Planning Officer: Lynnyrd Wolfe

Planning Application Ref: A/156/19/T

Location: Tall Trees, High Street, Angmering, BN16 4PQ

Description of works: Remove all limbs overhanging 1 Alexander Avenue by 2m to 1 No. Monterey Pine and remove all pine cones within catchment of 1 Alexander Avenue

Reasons Given: Risk management

Comments on Application:

Monterey pine / *Pinus radiata* Height: 20-25m Spread: 5-10m Age class: Mature

- This tree is discreetly located within the expansive gardens of the owner's property, although by virtue of its size and evergreen foliage has significant presence when viewed from its southern aspect. It is visible from neighbouring properties and the public highway (footway and carriageway).
- Outwardly and from a distance it appears to be in a fine physiological state and stable with an attractive crown profile (viewed from the south).
- It is imposing over the applicant's garden, being a large tree of considerable height. The branches of this tree type are often heavily laden with large cones. Those which detach from the tree are usually over-ripe (have discarded their winged seed) and attached to an item of deadwood. As such, they can present a considerable hazard especially when falling from great height.
- This application succeeds an earlier application (A/102/19/T) to remove cones which was granted consent on 21st October 2019 and seeks to prune back all branches by 2metres. The stated intention is to remove hazard from falling cones and future interference with built structures.

Conclusions:

- I am not aware of any legislation that compels the tree-owner in this instance, to remove/reduce branches overhanging the property by virtue of the presence of pine cones. The case cited by the applicant (*Stilwell v. New Windsor Corporation*) does not seem to bear any obvious direct relation to the matter at hand. That said, there is a recognised hazard from falling cones, which I believe can be adequately addressed by the work proposal granted consent under application A/102/19/T.
- By way of abating a nuisance from encroachment, it seems reasonable to seek the reduction of carefully selected branches to reduce the overall crown spread (on south aspect) but that is not what is being sought here. The applicant asks for the removal of all limbs overhanging by 2metres, which is an ambiguous work proposal and by one interpretation would result in severe detriment to the visual amenity of the tree on its most publicly visible aspect.

Recommendations:

- As it stands, I recommend **REFUSAL** for this application.

Advisory:

- I would like to see the applicant submit a revised work specification such as detailed below, which would seem to address their concerns whilst preventing a diminution of the tree's landscape and public amenity value:
 - Reduce crown spread (south aspect only) by maximum of 2metres
 - Remove all Monterey pine cones with potential to fall into property of 1 Alexander Avenue

Conditions to Be Applied to Approved Work: -

CONDITION 1 Part a) 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.

Part b) Cones must be carefully removed from their parent branch or shoot with sharp hand-tools (e.g. secateurs, pruning saw, loppers) only. Needle-bearing branches and shoots must remain intact.

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

CONDITION 2 The work hereby approved shall be undertaken under the supervision of the Local Planning Authority who shall be notified not less than 7 days before the work commences.

Reason: In order to ensure a satisfactory standard of tree surgery in the interest of amenity.

Informative:

- 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. Nor does it permit any work to take place beyond the boundary of the applicant's property. 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

