

**TREE WORKS CONSENT REPORT**

**REF NO:** EP/139/09/T

**LOCATION:** Land adj to 11-12 Copse View  
East Preston

**PROPOSAL:** Large Yew tree to crown thin by 15% and remove all major deadwood. Holly in rear garden to trim to shape.

**SITE AND SURROUNDINGS**

|                             |                                                                                                                            |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION  | Proposal is to trim the crown of the Yew tree by 15% and trim the Holly in the rear garden to shape.                       |
| SITE AREA                   | N/A                                                                                                                        |
| RESIDENTIAL DEVELOPMENT DEN | N/A                                                                                                                        |
| TOPOGRAPHY                  | Predominantly flat                                                                                                         |
| TREES                       | Yew tree is located forward of Nos. 11-12 Copse View. Holly is within garden area.                                         |
| BOUNDARY TREATMENT          | N/A                                                                                                                        |
| SITE CHARACTERISTICS        | Yew tree is readily visible in the street scene. It is located at the end of a cul-de-sac adjacent to 2-storey properties. |
| CHARACTER OF LOCALITY       | Predominantly residential.                                                                                                 |

**RELEVANT SITE HISTORY**

None

**REPRESENTATIONS**

**Representations received:**

East Preston Parish Council

Awaited.

One letter of objection - The Yew tree provides plenty of value to Copse View and to the area overall. This village is about beauty and trees provided that. This piece of land is not the garden of the owner's new property which is within East Preston Lodge. This land is inside Copse View. We cannot allow the desecration of trees just because someone wants a better view and when that view should not have been allowed in the first instance.

**Comments on Representations received:**

Agreed

**CONSULTATIONS**

Horticulturist

**Consultations responses received:**

Arboricultural Officer - The Yew tree is a prominent feature in the street scene and was last worked upon several years ago. Application has been made to deadwood the tree, for which approval is not required. The application also states there is to be a crown reduction of 15%. There does not appear any qualified reason for this to be done. Yews by their very nature have large crowns and to undertake thinning would only encourage even more congestion in the future, as a large number of new shoots would develop from where in the centre of the tree thinning takes place.

With regard to the Holly tree 'trim to shape' is a very vague description of what needs to be done to a TPO tree.

In the absence of good reason to do this work it is suggested application is refused.

**Comments on Consultation responses:**

Comments noted

**POLICY CONTEXT**

Designation applicable to site:

Tree Preservation Order TPO/EP/1/1975

Tree Preservation Order TPO/EP/1/1983

**DEVELOPMENT PLAN POLICIES**

South East Plan:

Arun District Local Plan: [GEN28](#) Trees and Woodlands

**PLANNING POLICY GUIDANCE**

**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 211(1) of the Town and Country Planning Act 1990 states:-

'Subject to the provision of this section and Section 212, any person who, in relation to a tree to which this section applies, does any act which might by virtue of Section 198(3)(a) be prohibited by a Tree Preservation Order shall be guilty of an offence.'

**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 application is to carry out works to two trees the subject of Tree Preservation Orders. The information submitted with the application is limited with no justification given for the works.

The Arboricultural Officer has stated that thinning of the crown of the Yew would be likely to promote additional growth and even more congestion in the future and it has not been demonstrated that the works would benefit the health of the tree. The details submitted for the Holly tree do not identify the extent of works proposed and given the ambiguous nature of the description the Local Planning Authority cannot satisfactorily assess the impact of the proposal on both the health and amenity of the tree. The size and visual contribution made by both trees would be reduced.

The application is therefore recommended for refusal for the following reasons.

**RECOMMENDATION**

**REFUSE**

- 1 Based on the limited information submitted with the application the Local Planning Authority is not satisfied that the works proposed are justified or that they would have no adverse effect on the of the health of the trees. The proposed works to the yew tree would adversely affect the visual amenities of the locality. The proposal therefore conflicts with policy GEN28 of Arun District Local Plan.