

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (

REF NO: FG/136/13/T

LOCATION: 17 Sea Lane
Ferring

PROPOSAL: Reduce crown by 8 metres to 2 No Holm Oak trees

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The two Holm Oak trees are to the front of the property.
TOPOGRAPHY	Predominantly flat
TREES	The trees that form the subject of this application.
BOUNDARY TREATMENT	The front boundary consists of close boarded wooden fencing at approximately 1.5m in height, supplemented with hedging and trees (including subject trees) at over 3m in height.
SITE CHARACTERISTICS	A two storey detached property with brown brick elevations and a pitched roof with plain tiles. There are a number of trees in the front garden of a significant height and crown spread.
CHARACTER OF LOCALITY	Predominantly residential in character, there are two storey detached, chalet bungalows and bungalows in the area. Trees are a feature of the street scene.

RELEVANT SITE HISTORY

FG/127/01/T	Crown reduction by 25% of 3 Holme Oak trees	ApproveConditionally 04-01-2002
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REPRESENTATIONS

Representations received:

Awaited.

Comments on Representations received:

None

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's arboriculturalist

Objection.

Reducing the crowns of stressed Evergreen Oak trees by 8 metres is likely to cause further stress and lead towards their complete loss and this proposal is therefore not recommended. The trees may be dying back due to an underlying disease and this should be investigated further by a qualified Arboricultural Consultant, especially considering the close proximity to the highway.

It is recommended that dead and disease branches should be removed which is exempt from requiring formal application. If this leads to long and exposed branches beyond the typical flowing crown shape then these should be reduced to substantial side branch/budding growths. The proposed 8m crown reduction is at present without justification and should be refused consent.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

XXX1

Circular 36/78

XXX2

DETR TPO's A guide to Law and Good Practice

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 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 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 two Holm Oak trees are situated in the front garden with branches overhanging the footpath and road of Sea Lane.

The works applied for is to reduce the crown by 8 metres which is approximately 20% of the

crown spread in order to reshape and rebalance the trees. However, an objection to the works has been raised by the Council's arboriculturalist. Namely, it has been considered that reducing both tree crowns by 8m is likely to cause further stress and lead to the unacceptable loss of the trees. The applicant is advised that dead and diseased branches should be removed which forms exempt works not requiring a formal application.

The application is therefore recommended to be refused for the following reason.

RECOMMENDATION

REFUSE

- 1 The proposed works to the two Holm Oaks are considered excessive and unacceptable in causing unnecessary stress on these trees leading to their loss which would negatively detract from the amenities of the locality in conflict with policy GEN7 of the Arun District Local Plan.
- 2 **INFORMATIVE:** The applicant is advised to examine the comments made by the Council's arboriculturalist in the Officer's report in respect of removing dead and dying branches which forms exempt works not requiring formal application. Before carrying out such works, it is advised that the applicant contacts the Parks and Greenspaces department to notify them of such intention.