

TREE WORKS CONSENT REPORT**REF NO:** FG/16/11/T**LOCATION:** Grange House
Church Lane
Ferring**PROPOSAL:** Crown thin by 30% and remove dead wood to 1 No Ilex Oak tree**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	The site is occupied by a detached bungalow dwelling. The Ilex Oak is growing close to a detached garage at the neighbouring property, 'Mulberry.'
CHARACTER OF LOCALITY	The site set back from Church Lane, the frontage of which forms part of the Ferring Conservation Area. The Conservation Area extends to the east and north and consists of historic buildings, flint walling and mature landscaping, lending towards an established village character and appearance. To the south and east there is more modern residential development consisting of bungalows and two-storey dwellings.

RELEVANT SITE HISTORY

FG/28/92/T	Reduce crown by 6'-8', general removal of dead branches and shaping of 1 Ilex Oak tree	Approve Cond 01-06-1992
FG/131/00/T	Lopping & topping of 2 no. Evergreen Oak trees and 2 no. Bay trees.	Approve Cond 26-01-2001
FG/147/03/T	Lopping & topping of 2 Evergreen Oak and 2 Bay trees.	Approve Cond 14-11-2003
FG/163/03/T	Application to fell two groups of Bay Trees	Approve Cond 19-12-2003

REPRESENTATIONS

Representations received:

Awaited.

Comments on Representations received:

None.

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

There is no justification for a 30% crown thinning. There is deadwood and some branch encroachment into the driveway. It is recommended that obstructing branches growing below 5 metres of the driveway surface should be pruned back to allow access for vehicles and all dead and diseased wood should be removed.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

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 Oak tree is in a prominent position to the front of the dwelling. Its size and stature means that, although not within it, the tree is a visible feature within the Ferring Conservation Area and its presence contributes towards the mature landscaping that characterises the surrounding area and softens the visual impact of the built form.

It is noted that the tree is growing close to, and overhanging, the a detached garage and it is accepted by the Case Officer, as well as the Council's Arboriculturalist, that some pruning back would be required. However, the degree of reduction proposed is considered to be too substantial and would greatly reduce the visual amenity value of the tree.

It is therefore recommended that the application is refused for the following reason.

RECOMMENDATION

REFUSE

- 1 The tree makes a significant contribution to the character of the area and therefore in the absence of any arboricultural justification, crown thinning to this extent would be detrimental to the visual amenities of the locality.