

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

REF NO: FG/3/26/T

LOCATION: 3 Grange Park
Ferring
BN12 5LS

PROPOSAL: 1 No. Beech Tree (T1) Crown lift to 3m from ground level. Crown reduction to leave a northerly and westerly spread of 7m, an easterly spread of 8m, a southerly spread of 9m and 2m clearance from adjacent dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
TREES	The tree stands in the rear garden of 3 Grange Park.
SITE CHARACTERISTICS	Dwelling.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

FG/128/25/T	1 No. Beech tree (T1) removal of dead wood, crown lift to 8m from ground level and crown reduction to leave a height of 20m and spread of 20m.	Refused 17-12-25
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FG/123/25/T	Crown reduction to 1 No. Common Beech
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Relevant planning history noted.

REPRESENTATIONS

Ferring Parish Council - No response received.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

No comment.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Tree Officer - I have considered this application by means of a desktop review, using the information submitted as well as online resources. Previous consideration from site (December 2025) and familiarity with surrounding areas provides further insight to the proposal.

Tree condition and setting: This is a large and apparently healthy example of its type. The crown is largely unmodified and so overall presents an attractive profile. Although bound on two aspects by residential buildings, it is visible in part from numerous properties and its impressive upper canopy can be seen from many places in the surrounding road network.

Historic lower branch removal and spread reduction on its west aspect has been necessary to provide adequate clearance of dwellings and reasonable use of garden space. The rear garden of 3 Grange Park has been the subject of recent hard landscape works under permitted development rights, within the crown spread and likely rooting zone of the tree. This has increased the influence of the tree, particularly in respect of shade bearing, over the use of paved and decked areas.

Canopy height is not obviously problematic. Lateral crown spread over garden aspects is significant and proportionate for a beech tree of this size and age. Beech inherently possess a dense crown and so are known to be particularly shade bearing. A custodian of such a tree is bound to accommodate this influence, and the local planning authority (LPA) should apply the reasonable test when considering any associated nuisance or impacts.

The secondary interior crown is an important evolved characteristic of beech, the removal of which during crown thinning operations can contribute to sun scorch of delicate issues resulting in bark death, inviting the ingress of decay causing organisms. This proposal seeks pruning to reduce crown density, increase overhead clearance above garden space and reduce crown height and spread.

The proposed extent of crown spread reduction is consistent with that proposed by the LPA, made in response to an earlier application, planning reference FG/128/25/T, which was ultimately refused.

Height reduction pruning has previously been advised against, in the absence of arboricultural justification. This application seeks the same element of work, supported by a report from the agent, Ruskins Tree Consultancy (RTC).

Summary of decay detection results (Resistograph readings): Seemingly incomplete submission of results, given titles conflict with presentation of measurements for stations 3, 4 & 5. Absence of measurement readings for 6 (potentially 5). Across the five measurement readings provided, all but one revealed some departure from typical amplitude across the radial plane (suggests minor and localised decay). All occurred within the main stem of the tree, between 300 and 700mm above ground level.

Conclusions: This is an important tree in the landscape and of an age which demands careful management. Any pruning of live material needs to be justified on arboricultural grounds. The unmodified upper crown profile is particularly appealing and widely viewed, responsible for much of the tree's amenity value. There has been no manual exploration of individual roots within or beyond the nominal shear root-plate, despite their prominence and being relatively easy to access. This is surprising given the assumption of fungal infection by giant polypore (*Meripilus giganteus*), known to cause disease predominantly and initially in a tree's root system.

There has been no positive identification of a significant pathogen that might be associated with minor decay pockets in the stem or compensatory development of surface roots. Above ground investigation of the stem for decay might best be achieved with the use of sonic or electrical impedance tomography

instruments. Testing of root-plate integrity and tree stability by the application of a Dynamic Root Evaluation System (e.g. DynaRoot) could be most informative if giant polypore is causing significant disease.

T1 is a significant feature in the local landscape and appears to be in adequately sound and healthy condition. Whilst some of the proposed work is justified elements of the proposal are not and would result in a reduction of the tree's landscape impact and be detrimental to the visual amenities of the locality.

Recommendations: As it stands, I am unable to support this application. I would like the applicant invited to agree to a revised proposal for lesser works (as described below) as part of the current application so as not to incur further delay. Such work would go some way to addressing the applicant's concerns whilst ensuring no detriment to tree health or loss of amenity.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The applicant was invited to agree to the following amended description, "1 No. Beech Tree (T1) Crown lift to 3m from ground level. Crown reduction to leave a northerly and westerly spread of 7m, an easterly spread of 8m, a southerly spread of 9m and 2m clearance from adjacent dwelling," to which they have agreed.

POLICY CONTEXT

Tree Preservation Order.

DEVELOPMENT PLAN POLICIES

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The above policies are general and, other than online Planning Policy Guidance under references ID 36-090-20140306 and ID 36-091-20140306, 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

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

Following the comments from the tree officer, and agreement to the amended scheme of works by the applicant, it is recommended consent be approved, subject to the following condition and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 Part a) Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010

Part b) 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 c) All pruning cuts shall not exceed 75mm in diameter.

Reasons: In the interest of the tree's continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.
- 2 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 3 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before

continuing.

- 4 INFORMATIVE: Although they may respond with vigour, beech have a poor tolerance of hard pruning and long-term vitality can be severely affected. The optimum time for pruning beech is late spring to summer (May to August).