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

REF NO: **FP/155/13/T**

LOCATION: 15 Manor Copse
Felpham

PROPOSAL: Fell 2 No Horse Chestnut trees

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this application.
BOUNDARY TREATMENT	Flint wall to rear approximately 1.8m in height.
SITE CHARACTERISTICS	Detached two storey property in the course of construction. Properties are to the rear of Manor Copse flats with access from The Grove.
CHARACTER OF LOCALITY	Residential area comprising a mixture of detached properties and flats. The Grange to south of site is a Grade II Listed Building.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection

Comments on Representations received:

None.

CONSULTATIONS

Council's Arboriculturist
Conservation Officer

Consultations responses received:

Council's Arboriculturist
I have surveyed both trees and despite a history of heavy 'cutting back' of large limbs away from 'The Stables' south of their main stems, they were found to be in reasonable health and condition, not in decline with sparse crowns as suggested. Understandably, new growths

emerging from these wounds are prone to 'burn off' caused by the drying winds, and unlikely to affect the hardier peripheral leafy spreading crown.

There appears to be no record of received applications for such harsh 'pruning' treatment on the Council's planning files and doubt that this work would have been granted consent by the Council. Fortunately the prevailing south west to north east winds should not unduly cause branch failure where the majority of large limbs overhang an area of open ground. Horse Chestnut trees today in the UK generally suffer with diseases affecting their foliage and bark. Trees found to have canker, affecting the bark, do not indicate structural weakness. However a secondary pathogen entered sapwood which has been exposed by the typical longitudinal strip forming wounds could result in the potential failure of the affected stem by the degradation of those inner supportive tissues. This does not apply to the two Horse Chestnut trees.

The felling of both trees is unwarranted considering the lack of supportive evidence and good arboricultural justification. Therefore the proposal should be refused consent.

Conservation Officer
Awaited

Comments on Consultation responses:

Arboriculturist's comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Within Conservation Area
Tree Preservation Order
Manor House - Grade II Listed Building

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	AREA2	Conservation Areas

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 2 Horse Chestnut trees are sited to the rear southern boundary in the garden of the new property 15 Manor Copse which is currently in the course of construction. They are of a considerable height and spread being visible above the roof line to neighbouring properties, Limmer Lane and the immediate vicinity and of public visual amenity value.

The application seeks to fell the trees as they are sited within 2m of the flank wall of the neighbouring property No 16 Manor Copse. A Tree Report has been submitted with the application which states that the trees are both in decline with sparse crowns and are infected by canker. If the felling is approved two mature replacement trees will be planted.

The Council's Arboriculturist has inspected the trees and has raised an objection to their removal as there is no supportive evidence and arboricultural justification.

It is therefore recommended that the application be refused.

RECOMMENDATION

REFUSE

1 The trees make a significant contribution to the character of the area and therefore in the absence of any arboricultural justification the loss of the trees would be detrimental to the visual amenities of the locality.