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

REF NO: **FP/171/13/T**

LOCATION: Windwhistle
2 Admiralty Gardens (Corner Plot)
Felpham

PROPOSAL: Crown reduction of 5 No. Bay trees to 3 metres & reduction of branches overhanging pavement by 2 metres.Crown reduction of 1 No. Oak tree by 2 metres, remove dead branches & shorten branches overhanging roof by 1 metre. Reduce 1 No. White Hawthorn by 2 metres & remove branches overhanging pavement by 2 metres.

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	Hedging and timber fencing enclosing site.
SITE CHARACTERISTICS	Residential property with mature gardens.
CHARACTER OF LOCALITY	Residential road, site on corner plot.

RELEVANT SITE HISTORY

FP/127/03/T	Surgery to one Oak tree, three Flowering Cherry trees and one Bay Laurel Tree	ApproveConditionally 22-08-2003
FP/229/04/T	Felling of one Oak tree and two Cherry trees	Refused 12-11-2004
FP/20/05/T	Application to fell 2 Cherry Trees (Resubmission following FP/229/04/T)	ApproveConditionally 09-03-2005

REPRESENTATIONS

Representations received:
Felpham Parish Council
No objection.
Comments on Representations received:
Noted

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Councils Arborist:
I have viewed the trees and would accept the reduction of the Bay trees.

The hard reduction to the Hawthorn however would likely stress the tree beyond its ability to recover and would suggest a light reduction or indeed none at all, save perhaps a light crown lift over the footpath/garden to provide a 2.5m clearance between the ground and first branches.

The English Oak crown reduction to leave a height of 12ft will destroy the natural growth pattern and appearance that this tree currently provides and I would object to all unnecessary work. Reducing specific parts of the crown to create a gap between the property by 1.5m and clearing the highway of large branch growth which would likely damage/obscure the free passage vehicles and pedestrians is reasonable and should be granted consent.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designations Applicable to Site:
Within the built-up area
Tree Preservation Order TPO/5/63

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 application seeks permission for various works to trees within the grounds of No.2 Admirality Gardens, Felpham. Whilst the works to the Bay trees and crown lifts to Hawthorn and Oak over the highway would be acceptable, the other works that are propsoed are not acceptable in terms of the impact on the health of the trees and the resultant detrimental impact upon there appearance within the street scene. It is therefore recommended that the application be refused for the following reason.

RECOMMENDATION

REFUSE

1 In the absence of any arboricultural justification, the proposed surgery to the Hawthorn and Oak trees would result in the excessive reduction of the tree's landscape impact and results in undue detriment to the health and visual amenities of the locality.