

TREE WORKS CONSENT REPORT**REF NO:** FP/198/10/T**LOCATION:** Hayleys Corner
14 Limmer Lane
Felpham**PROPOSAL:** Crown reduction of one no. Holm Oak (Quercus Ilex) tree.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Holm Oak tree the subject of this application but various trees within and around the site.
BOUNDARY TREATMENT	Front boundary has dwarf brick wall with red brick pillars, east side boundary to road flint wall approximately 2m in height, west side boundary flint wall approximately 1.8m in height.
SITE CHARACTERISTICS	Detached two storey property currently used as Bed and Breakfast Accommodation. The property has rough rendered walls, white window frames with white shutters and a red tiled roof.
CHARACTER OF LOCALITY	Within the Conservation Area comprising mixture of residential properties, detached, semi-detached, terraced and flats.

RELEVANT SITE HISTORY

FP/89/93/T	Reduce overall spread of tree by very hard pruning, and remove any dead wood in crown to one evergreen oak.	Approve Cond 22-10-1993
FP/198/03/T	Felling of one Evergreen Oak tree in front garden.	Refused 31-10-2003 Appeal: Dismissed 11 05 2004
FP/121/04/T	Lopping of one Evergreen Oak tree in front garden.	Approve Cond 07-07-2004

FP/147/07/T

Fell one Acacia Tree and lop one Ilex Oak
Tree

Approve Cond
27-07-2007

REPRESENTATIONS

Representations received:

Felpham Parish Council

The Tree Warden for Felpham advises that the crown of the tree is very large and wide, shutting out light from the house, road, garden and affecting the guttering. His recommendation therefore is that the crown of the tree should be reduced by 50% in order to remedy the issue above. The work to be carried out by a qualified tree surgeon.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Officer

Council's Arboriculturalist

Conservation Area Advisory Com

Consultations responses received:

Conservation Officer

Awaited

Council's Arboriculturist

The 50% crown reduction is not acceptable. A crown reduction of 25% which is approximately 1-1.5m from the branch tips into the crown is recommended and include the removal of sucker and epicormic growths along the main stem.

Conservation Area Advisory Committee

No comment

Comments on Consultation responses:

Noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

Within the Conservation Area

Class C Road

Tree Preservation Order

No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[GEN28](#)

[AREA2](#)

Built-up Area Boundary

The Form of New Development

Trees and Woodlands

Conservation Areas

PLANNING POLICY GUIDANCE

PPS1

Delivering Sustainable Development

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 Holm Oak tree which is of a significant height and spread is sited in the front garden of the property and readily visible in the street scene and of public visual amenity.

Surgery to the tree has been carried out on a regular basis the most recent application FP/147/07/T which was approved on 27th July 2007 for the lopping. The tree is overhanging the property and causing excessive shading and the application seeks for a crown reduction of 50%. The Council's Arboriculturist has inspected the tree and has confirmed that a 50% reduction is unacceptable and recommended a 25% reduction. The applicant has been informed and is unhappy to accept the recommendation of the Council's Arboriculturist for a 25% reduction.

It is therefore recommended to refuse the application.

RECOMMENDATION

REFUSE

- 1 The Holm Oak tree is a significant feature in the local landscape and appears to be in adequately sound and healthy condition. The tree surgery proposed in the application would result in excessive reduction of the tree's landscape impact and undue detriment to the visual amenities of the locality, in conflict with policy GEN7 of the Arun District Local Plan.