

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

REF NO: R/12/14/T

LOCATION: Cudlow House
Cudlow Garden
Rustington

PROPOSAL: Crown reduction to 1No Ilex (Holm Oak) tree by 3 metres.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	n/a
TOPOGRAPHY	Predominantly flat
TREES	The tree that forms the subject of this application.
BOUNDARY TREATMENT	n/a
SITE CHARACTERISTICS	A residential estate with two storey blocks of flats set around a central courtyard. There are few other trees of any visual significance in the immediate area.
CHARACTER OF LOCALITY	Predominantly residential in character, there are two storey detached, semi-detached properties and flats in the area.

RELEVANT SITE HISTORY

R/221/99/T	Lop/top 1 Holm Oak tree.	ApproveConditionally 17-01-2000
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REPRESENTATIONS

Representations received:

Rustington Parish Council
No objection.

Comments on Representations received:

Noted

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's arboriculturalist
Objection.

A 3m crown reduction does not equate to 25%. To reduce by 3m in height would equate to a 50% reduction and also just leave a trunk devoid of any foliage which is clearly not acceptable.

A 1m reduction is acceptable otherwise I recommend refusal as it is excessive and does not meet the test of sound arboricultural practice and significantly exceeds the recommendations of BS3998: 2010.

Comments on Consultation responses:

Comments noted. A 1m reduction has been offered and subsequently turned down by the applicant and so this application for a 3m crown reduction will be refused based on the comments made by the Council's arboriculturalist.

POLICY CONTEXT

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The above policies are general and, other than on-line Planning Policy Guidance ID 36-007-20140306, 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

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 is situated to the rear of Cudlow Cottage and situated on a grass verge. In this location, it can be seen from Cudlow Garden entry road and as such provides significant visual amenity value.

The applicant seeks a crown reduction of 3m. The Council's arboriculturalist has raised an objection to these works and considers them to be excessive as it will leave a trunk devoid of any foliage and so this will adversely affect its amenity value. The proposed crown reduction also fails to meet the test of sound arboricultural practice since it significantly exceeds the recommendations of British Standards 3998: 2010. Therefore, the proposed crown reduction by 3m is considered to be unacceptable to this Holm Oak tree.

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

RECOMMENDATION

REFUSE

- 1 The crown reduction by 3m to 1No. Holm Oak is considered to be excessive as it will leave a trunk devoid of any foliage which will adversely affect its visual amenity value and does not meet the test of sound arboricultural practice since it significantly exceeds the recommendations of BS3998: 2010 and therefore conflicts with this legislation and on-line Planning Policy Guidance ID 36-007-20140306.