TREE WORKS CONSENT REPORT

REF NO: **R/62/10/T**

LOCATION: 6 Willowhayne Mews
Preston Paddock
Rustington

PROPOSAL: Pollard one Lime tree

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Lime tree subject of the application.
BOUNDARY TREATMENT	Application site open to front, rear enclosed by approximately 1.8m high timber fencing.
SITE CHARACTERISTICS	End of terraced single storey dwelling. Timber clad elevations, hipped slate tiled roof.
CHARACTER OF LOCALITY	Sited within the curtilage of a partly refurbished Listed Building which has been divided into separate units of accommodation. Conservation Area, bungalows surrounding main house.

RELEVANT SITE HISTORY

R/171/91/T	Topping and pruning of 1 Walnut Tree	Approve Cond 02-12-1991
R/146/96/T	Fell 1 dying Sycamore tree	Approve 27-08-1996
R/150/99/T	Fell two Sycamore Trees	Approve Cond 20-10-1999
R/1/05/T	Surgery to 3 no. Holm Oak trees	Inc Docs Ret'nd 10-02-2005
R/56/05/T	Surgery to five Holm Oak trees, three Holm Oaks to have overhanging branches reduced to include some crown lifting and two Holm Oaks to be dismantled to ground level	Refused 08-04-2005

R/63/06/T	Felling of 1No Sycamore tree and surgery to various trees	Approve Cond 21-04-2006

REPRESENTATIONS

Representations received:

Rustington Parish Council: Awaited.

Comments on Representations received:

None

CONSULTATIONS

Horticulturist
Conservation Area Advisory Com
Conservation Officer

Consultations responses received:

Councils Arborist:
The Lime tree is a well grown mature specimen which appears to be in reasonable health.

The proposed work is commonly found in trees next to highways where traffic problems occur but would not be applicable to the Lime tree which is in a private garden and there is no necessity to treat the tree in this way.

A better way to maintain the tree would be to reduce the crown by a maximum of 20% which would retain its undoubted amenity value. It would also prevent the tree from producing mass new growth which would have to be dealt with on a regular basis.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within the built-up area boundary
Tree Preservation Order- TPO/12/2/89
Conservation Area

DEVELOPMENT PLAN POLICIES

South East Plan:		
Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	AREA2	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 proposed application seeks permission to Pollard 1No. Lime tree which is located within the rear garden of No.6 Willowhayne Mews.

The Lime tree is considered to significantly contribute to the public visual amenity of the surrounding residential area. The proposed works would reduce the existing tree to a stump approximately 4m high which would demonstrable impact upon the significant amenity of the tree.

The Council's Arborist does not consider the proposed works to be acceptable and in excess of what would normally be suitable for a tree sited within the rear garden of a residential property. The resulting growth from the pollarded tree would produce a mass of new growth which would have to be maintained regularly. The Arborist considered that a maximum of a 20% reduction in height and spread would be acceptable works to the Bay tree.

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

RECOMMENDATION

REFUSE

1 The Lime tree is a feature in the locality and appears to be in adequately sound and healthy condition. The pollarding of the tree in the manner proposed would result in an excessive reduction of the trees amenity value, detrimental to visual amenities of the locality and thereby would be in conflict with policy GEN7 of the Arun District Local Plan.