

TREE WORKS CONSENT REPORT

REF NO: SL/22/11/T

LOCATION: Land adj to Old Timbers
Shellbridge Road
Slindon

PROPOSAL: Cut back boundary overhang of 1 no. Oak tree by 3m and crown lift to 6m 1no. Ash tree. This application also falls within the South Downs National Park Authority.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees subject of the application.
BOUNDARY TREATMENT	The trees locations are open to the highway.
SITE CHARACTERISTICS	Highway verge with strip of lawn and a line of trees which abut the boundary of Old Timbers.
CHARACTER OF LOCALITY	Rural, tree and hedge lined highway. Intermittent development and residential properties to the east and west of the road.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Slindon Parish Council

No objection to works being carried out on the trees as long as they met with the Councils Arborists approval and were carried out by a tree surgeon on the District Councils approved list of Arborists.

1 Letter of objection:

No tree surgery unless dead or dangerous.

Comments on Representations received:

Comment on Parish Response:

The Councils Arborist has been consulted and his comments are included below.

Comment on letter of objection:

Comments are noted.

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

Councils Arborist:

I inspected the trees today (3.00pm 20/12/11) and understand the reason for the work. However the request for 'cutting back excessive boundary overhang by 3m' and 'crown lift to 6m over the driveway entrance' is excessive and should be written as follows;

The English Oak trees lower branch which extends over the outbuilding is to be pruned clear providing a gap to not exceed 1.5m and reducing the crown tip by 1m.

Both the Oak and Ash to be pruned clear of the highway and driveway by removing obstructing branches growing below a 5.2m height which obstruct the highway to the roadside edge to substantial live side branch growth.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside the Built-up Area Boundary
South Downs National Park

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

TREES

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

TREES

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 trees form part of a group which are visually significant within the street scene, contributing to the overall rural appearance of the locality.

The proposed works would result in the cutting back of 1No. Oak tree by 3m and a crown lift to 6m to 1No. Ash tree which are sited to the north and south of the driveway into Old Timbers. The cut back and crown lift are proposed at the point that the trees overhang the vehicular access to Old Timbers. The removal of branches is to allow high sided vehicles to enter the site clear of these overhanging trees.

The Councils Arborist has suggested that the proposed works are excessive and has suggested an amendment to the application. In the absence of any agreement to amend the application, it is recommended that the application be refused for the following reason.

RECOMMENDATION

REFUSE

- 1 The trees are a significant feature in the local landscape and appear to be in adequately sound and healthy condition. In the absence of any arboricultural justification 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 Tree Preservation Orders: A Guide to the Law and Good Practice (2000).