

Planning Officer: Miss Z Toppin

Planning Application Ref: WA/59/21/T

Location: Oak Bank, Wandleys Lane, Walberton, BN18 0QR

Description of works: Pedunculate Oak - Tree Number 9 Crown reduction by approximately 25%-30%, Removal of dead wood and reduction of limbs to reduce crown over road

Reasons given: 1. Containment pruning 2. Remove carriageway overhang

Comments on Application:

Pedunculate oak/*Quercus robur*, Height: 15-20m, Radial spread: 10-15m, Age class: Late-mature

- This magnificent tree (c200years old) appears outwardly to be in a fine physiological state. It has a full and relatively unmodified crown which is visually impressive from all aspects.
- The character of this semi-rural lane is defined by the presence of long-established roadside oak trees, which overhang the road and form an impressive high canopy.
- It does not present any obvious major problem to adjacent landowners or public highway users. Only one branch was seen to descend low over the carriageway at a height which could contact a high-sided vehicle. (see photo at foot of report, with area of low growth shown within yellow-bordered square). The removal of such material qualifies as an exception from the normal application process.
- Under the terms of the exception, it would be acceptable at this location to prune that branch to achieve a maximum of 5metres overhead clearance above the carriageway. It is important not to exceed those measurements, to do so would constitute unauthorised work (see Advisory notes below for further detail).
- The removal of dead branches is an exception and does not require permission from the local planning authority.

Conclusions:

- This tree requires careful management that respects its age and vulnerability to environmental changes and disease progression.
- The applicant proposes a reduction of main limbs to 7metres length but makes no similar prescription for reduction of top height. If we apply 30% this equates to approx. 6metres. Both elements of the proposal far exceed the recommendations in British Standard 3998:2010 – Tree Work. Furthermore, it has not been demonstrated that an overall reduction of tree height and spread (to any extent) is justified on arboricultural grounds.
- The 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.

Recommendation:

- I recommend **REFUSAL** for this application.

Advisory:

Q. What is the exception for work on dangerous trees and branches?

- *Where a tree presents an immediate risk of serious harm and work is urgently needed to remove that risk, tree owners or their agents must give written notice to the authority as soon as practicable after that work becomes necessary. Work should only be carried out to the extent that it is necessary to remove the risk.*
- *In deciding whether work to a tree or branch is urgently necessary because it presents an immediate risk of serious harm, the Secretary of State's view is that there must be a present serious safety risk. This need not be limited to that brought about by disease or damage to the tree. It is sufficient to find that, by virtue of the state of a tree, its size, its position and such effect as any of those factors have, the tree presents an immediate risk of serious harm that must be dealt with urgently. One consideration would be to look at what is likely to happen, such as injury to a passing pedestrian.*
- *If the danger is not immediate the tree does not come within the meaning of the exception.*

Paragraph: 080 Reference ID: 36-080-20140306

Revision date: 06 03 2014

Source: <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

Cautionary note (please read carefully)

It is an offence to work on a protected tree without consent and if unauthorised work takes place, the Council can (and does) take legal action which can lead to fines of up to £20,000, or twice the value of each tree, whichever is the greater. The Council's written consent is needed before any felling or pruning takes place. To give notice of work to tree(s) please complete the [Application Form](#) and refer to the [Guidance Notes](#) which cover trees both in and outside conservation areas.



Fig.1. Oak (T9). Area of low branch growth captured within yellow square.

Mark Warwick
Tree Officer / Parks and Greenspace Team