Appendix A

Application Number: ADC/0014/07

Site: **12 Parkside, Shoreham-by-Sea BN43 6HA**

Proposal: **Removal of crown by re-pollarding of horse chestnut tree (subject to TPO 13.53/3/90/SU)**

Representations received and noted.

Further representations made at the meeting:-

Objector: Mr Roger Gumbrell of 16 Parkside
Parish Representative: N/A
Ward Councillor: None
Applicant or Agent/supporter: Mrs King and Mr Jon Lee (applicant's arboriculturalist)

DECISION - APPROVED

Subject to:-

1. C1Ciii (One year time limit)
2. C11M (Prior notification of implementation of work and work to be carried out by qualified tree surgeon)

Application Number: ADC/0014/07 **Recommendation – APPROVE**

Site: **12 Parkside, Shoreham-by-Sea BN43 6HA**

Proposal: **Removal of crown by re-pollarding of horse chestnut tree (subject to TPO 13.53/3/90/SU)**

The Application

In December 2006, the committee resolved to grant planning permission for the erection of a bungalow and garage on this site (ADC/0344/06), having refused a larger dwelling (SU/60/06) and a pair of dwellings (ADC/0346/06).

The present application is to carry out the works to the chestnut tree subject to TPO which were recommended as necessary for the future health of the tree by the applicant's arboriculturalist in his report (see below).

Consultations and Representations

Director of Services: The Assistant Parks Manager recommends that the proposed works be granted consent. He comments that the tree is currently in reasonable condition with no signs of damage or decay in the main trunk and the crown is spreading but he agrees that re-pollarding is needed because of the inherent weakness of re-growth from pollarding.

Third Parties: 3 letters have been received, from No's 26 & 48 Parkside and 7 Greenways Crescent, objecting to the proposal. The letters express concern about other trees already removed, about the effect of the bungalow permitted, and about the adverse effect this latest proposal would have on the appearance of the area and on privacy. One letter expresses the view that this tree, which is the one remaining item of natural growth, would now be decimated in order to satisfy the ill-judged needs of the developer. Another letter comments that pollarding the tree could encourage stronger and more vigorous re-growth but that they would withdraw their objection if the pollarding is done under strict supervision and by a fully competent qualified tree surgeon.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): DEV1
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AB23-25
Design Bulletin No.1 'Trees and Landscaping' (ADC 1996)
'Tree Preservation Orders: A Guide to the Law and Good Practice' (DETR 2000)

Planning Assessment

Policies

Policy AB24 of the Local Plan states:-

"The District Planning Authority will not normally grant consent for the felling, uprooting or extensive lopping or topping of any tree subject to a TPO".

Justification for the proposed work

The tree was made subject to the TPO in 1990, after a planning application had been submitted which involved its removal. The application for a bungalow recently resolved to be approved provides for the retention of the tree, located in a space between the proposed bungalow and the proposed garage. The latter would be positioned where there is currently a garage/shed which the branches of the tree currently overhang. The carrying out of the proposed re-pollarding is not necessary in order to erect the bungalow; it is stated to be needed to ensure the future health of the tree.

The applicant's arboriculturalist's report expresses the view that the tree was not particularly suitable for protection by TPO, having been pollarded prior to 1990, and has a low amenity value because it is not very visible to the public, being surrounded by rear gardens; it is of low-medium individual impact; and it is not of great significance in its local surroundings as there are other trees in the vicinity.

The report states that, if this tree is to be retained, then they consider "it will be necessary to re-pollard it within the next 5 years in order to remove the risk of stem breakage which could cause considerable damage to the tree and to the adjacent garage". Comment is made that horse chestnut trees have low resistance to decay and there is always a risk of decay entering any wounds caused by pruning or breakage. If decay does develop, re-pollarding would normally have to be carried out more frequently as re-growth may have a weak union. The first limb/tem on the south side needs to be removed soon to prevent damage to the garage roof due to direct contact if the limb sways in high winds.

Conclusions

The pollarding of the tree would clearly greatly reduce its size in the short-term and cause it have a low visual contribution to its surroundings.

However, the view of the applicant's arboriculturalist that re-pollarding is necessary to ensure the future longevity of the tree is accepted by the Council's Assistant Parks Manager who provides advice on trees.

In these circumstances, because of the special considerations applying where a tree has been previously pollarded, it is considered that there is sufficient justification to depart from the normal policy of resisting extensive lopping as

contained in policy AB24. It is concluded that consent should be granted but with a condition requiring the work to be carried out by a qualified tree surgeon and requiring prior notification of the date of the work.

Recommendation

APPROVE subject to:-

1. C1Ciii (One year time limit)
2. C11M (Prior notification of implementation of work and work to be carried out by qualified tree surgeon)

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