DELEGATED APPLICATIONS
ASSESSMENT SHEET

APPLICATION No. and SITE: WB/11/0086/TPO – 46 The Heights

DATE OF VISIT: 24th March 2011

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR CONSULTATIONS: N/A

PROPOSAL, SITE AND SURROUNDINGS

The application relates to a linear group of protected Beech trees, G1 under the Worthing Tree Preservation Order No. 22 of 1990, along the common boundary between Nos. 43 and 46 The Heights. The applicant is the owner occupier of 46 The Heights. The properties concerned are two detached houses, set within spacious grounds, on the edge of the built-up area of Findon Valley on a west facing slope of the Downs.

Consent is sought to reduce the height and spread of the Beech trees. The extent of works, and reasons, are:

"The Beech trees located along the Southern boundary of 46 The Heights form a screen between adjoining properties. These trees were originally planted as a boundary hedge that has fallen into neglect. This high hedge is beginning to overshadow the surrounding properties and outgrow its location. Careful pruning is required to bring them back into active management. This will be achieved by crown reducing the canopy spread by 20% and rationalising the top part of the hedge to mirror the gradient of the land. Multiple wayward limbs *are also present that have grown well* out into the garden spaces. *These branches* will be reduced within the confines of the proposed sidings of the hedge, to suitable reduction points."

RELEVANT PLANNING HISTORY

Tree Preservation Order No. 22 of 1990 confirmed on 2nd July 1991

RELEVANT SAVED PLANNING POLICIES & NATIONAL PLANNING POLICY GUIDANCE

British Standard BS 3998 (2010) Recommendations for Tree Works

REPRESENTATIONS

The occupier of No. 43 The Heights, the adjoining house to the south, raises no objection to the application, subject to the tree works on the northern side remaining the responsibility of her neighbour, the applicant.

A letter has been also received from the occupier of 44 The Heights, to the south-west of the site. The writer is concerned that the application is rather vague and does not confirm whether the final two Beech trees in the line of trees, which are within *his* property, are affected by the TPO or the proposed works; further clarification is sought.

The Borough Arboriculturist objects to the application in part, and comments:

"These trees are a mature belt of Beech forming a linear group. Their amenity value is best preserved by retaining their form as trees rather removing their natural form and changing it into a very large hedge. In this regard a reduction in the radial spread of the trees by 2 metres, to leave a finished spread of seven metres, and a slight reduction in height by drop crotching by 2 metres, to leave a finished height of 14 metres can be supported and such reduction is compatible with the new British Standard (BS 3998 2010) Recommendations for Tree Works); *however, it would be useful to add that the work should not be undertaken in spring or autumn, when the trees have low energy reserves."*

HUMAN RIGHTS

Article 8 of the First Protocol (Protection or Property) of the Human Rights Act 1998 is relevant to this application. It is accepted that this proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly, it is considered that it is acceptable with regard to Article 8 and Article 1.

PLANNING ASSESSMENT

These Beech trees form a prominent linear group of 52 trees within the local landscape. They extend for a distance of over 65 metres along the common boundary between the two detached houses, on spacious plots, Nos. 43 and 46 The Heights, and form part of Group G1 under the Worthing Tree Preservation Order No. 22 of 1990. The trees follow the natural downward gradient of the land from east –to-west, with no perceptible changes in their growth, height or spread or natural form evident as they descend the slope. They are clearly an established group of trees, rather than a hedge, having long outgrown any hedge form or regime of management as a hedge that they may have had origjnally. As a group of trees they are a prominent, established feature of the local landscape, with a crown height and spread of about 16 metres. They are visible as a group of trees from a wide area in this part of Findon Valley and consequently have high public amenity value.

Having regard to the stature, natural form, good condition and appearance and the prominence of this protected established group of Beech trees, G1 under TPO 22/1990, it is considered that the proposed reductions to these trees, in both height and spread, to revert them to a clipped Beech hedge, would be damaging and disfiguring to the natural form, branch structure, crown tracery and appearance of these trees, both individually and as a group, and would unacceptably reduce their prominence, landscape value and public amenity value within this area, which would be detrimental to the character and visual amenities of the area. Refusal is recommended.

The Borough Arboriculturist supports lesser works to the trees to address the applicant's concerns, whilst preserving the amenity value of the trees, namely crown reduction in height by up to two metres, by drop crotching, leaving the trees with a finished height of 14 metres, and a reduction in radial spread by two metres, leaving the spread at seven metres, to suitable growth points and in accordance with the British Standard BS 3998 2010 Recommendations for Tree Works.

As a reduction in the height and spread of these trees is acceptable in principle, a Split Decision Consent is recommended, covering these acceptable, less severe, works to these trees. In this way, the amenity value of the trees would be safeguarded whilst going some way to addressing the concerns of the applicant and neighbour. However, the application does not cover the two Beech trees in the grounds of No. 44 The Heights, as those trees are not protected under a Tree Preservation Order.

RECOMMENDATION

That a Split Decision be issued, as follows:

Refuse, on the grounds that:

1. The proposed height and spread crown reductions to this protected established group of Beech trees (forming Part of Group G1 under the Worthing Tree Preservation Order No. 22 of 1990), to revert them to a clipped Beech hedge, would be damaging and disfiguring to the natural form, branch structure, crown tracery and appearance of these trees, both individually and as a group, and would unacceptably reduce their prominence, landscape value and public amenity value within this area, which would be detrimental to the character and visual amenities of the area.

Grant consent to crown reduce in height and spread by up to 2 metres, subject to:

1. Restricted tree works: Reduce height by up to 2m, by drop crotching to leave the trees with a finished height of 14 metres; and reduce radial spread of the trees by up to 2m to leave them with a finished spread of seven metres, to suitable growth points, to BS 3998 2010 Recommendations for Tree Works
2. Works to be carried out in spring or autumn, when the trees have low energy reserves, and within a period of two years from the date of consent.

REASON FOR THE RECOMMENDATION: N/A

IS THE RECOMMENDATION CONTRARY TO LETTERS OF REPRESENTATION: Y/(N)

DELEGATED

Case Officer sign.....Date: 6th April 2011.....

Authorising Officer sign.....Date 7.4.11.....