



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North  
**BY:** Head of Development  
**DATE:** 5 December 2017  
**DEVELOPMENT:** Surgery x 1 Oak Tree  
**SITE:** Land Adjacent To 193 Tanbridge Park Horsham West Sussex  
**WARD:** Denne  
**APPLICATION:** DC/17/1971  
**APPLICANT:** **Name:** Horsham District Council **Address:** Second Floor Parkside  
Chart Way Horsham West Sussex RH12 1RL

**REASON FOR INCLUSION ON AGENDA:** Application from Horsham District Council.

**RECOMMENDATION –** Approval subject to conditions

## **1. THE PURPOSE OF THIS REPORT**

To consider the application.

### **DESCRIPTION OF THE APPLICATION**

- 1.1 The application proposes surgery to a large old oak tree.

### **DESCRIPTION OF THE SITE**

- 1.2 The tree is sited within an area of public open space to the north of the property 193 Tanbridge Park.

### **PLANNING HISTORY**

- 1.3 The tree is protected under individual Tree Preservation Order (TPO) No. 867, confirmed on 7<sup>th</sup> January 1997. It is designated as T1.
- 1.4 Previous applications for surgery have been approved at *DC/12/2203*, *DC/11/1859*, *DC/07/2093*, *DC/05/2500*, and *HU/217/02*.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 As a tree subject to a TPO, it is a legal requirement that any person wishing to undertake works to any live part make an application to the Local Planning Authority under the **Town & Country Planning (Tree Preservation) (England) Regulations 2012**.

### RELEVANT GOVERNMENT POLICY

- 2.2 Members are advised of the principles of good practice set out in the on-line publication **Tree Preservation Orders and trees in conservation areas** (<http://planningguidance.planningportal.gov.uk/>, dated 06 03 2014).

## 3. OUTCOME OF CONSULTATIONS

- 3.1 Denne Neighbourhood Council has stated no objection to the proposal.

## 4. HOW THE PROPOSED COURSE OF ACTION PROMOTES HUMAN RIGHTS

Article 8 of the Human Rights Act 1998 is relevant to this application. Human rights issues form part of the planning assessment below.

## 5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

Not applicable in this case.

## 6. PLANNING ASSESSMENT

- 6.1 The tree in question is a very large old specimen long pre-dating the surrounding residential development. It has very high amenity value in the landscape.
- 6.2 For many years the tree has been in slow decline. In health terms, its condition has been attended to by the various applications for surgery carried out since 2002. It has also been suspected that its internal structural condition is compromised, and evidence recorded by the use of internal decay detection equipment in August 2012 and subsequently in August 2015 indeed showed a considerable degree of internal tissue degradation.
- 6.3 A similar internal test was carried out in August 2017, and this records the presence of "*a significant irregular area of decay and hollowing present along the north-south axis*".
- 6.4 In regard to the very high amenity value of this tree, it is considered that a commensurately high degree of effort should be put into prolonging its retention, ensuring, so far as is possible, its safety in regard to its open access to the public.

- 6.5 Given the results of the latest internal decay test, consent is sought to reduce the south-western canopy of the tree (towards the closest adjacent private residence) by approximately 30% to reduce canopy weight and minimise the likelihood of structural failure.
- 6.6 This action is consistent with best practice as set out within **BS 3998 'Tree Work - Recommendations'** (2010) and will not harm the overall look of the tree or its aesthetic appearance.

## 7. **RECOMMENDATIONS**

It is recommended that the application be granted, subject to the following conditions:

- |        |                     |
|--------|---------------------|
| 1. TR2 | Time limit          |
| 2. TR3 | Treeworks limit     |
| 3. TR4 | Surgery standards   |
| TINF1  | Works limitations   |
| TINF2  | Wildlife protection |

Background Papers: DC/17/1971