



TO: Planning Committee North

BY: Head of Development

DATE: 5 December 2017

DEVELOPMENT: Surgery to 1 x Oak

SITE: Land Rear of 21 Woodlands Walk Mannings Heath West Sussex

WARD: Nuthurst

APPLICATION: DC/17/2174

APPLICANT: **Name:** Horsham District Council **Address:** Parkside Chart Way
Horsham West Sussex RH12 1RL

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

RECOMMENDATION - To permit subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application proposes surgery to 1 x oak tree.

DESCRIPTION OF THE SITE

- 1.2 The tree in question (T501) is sited within part of the Council-owned woodland strip registered as 'Land rear of 21 Woodlands Walk' in Mannings Heath. This strip runs roughly east/west, and divides the two parts of the Woodlands Walk estate. Tree T501 is sited at the eastern end of the strip, within the woodland separating the estate from the open field to the east, land also owned by the Council. Parts of the tree overhang the two adjacent residential properties, 11 and 23 Woodlands Walk.

PLANNING HISTORY

- 1.3 A number of the individual trees within this wooded strip, including tree T501, are protected under tree preservation order TPO/0947, an order confirmed on 24th August 1998. The tree in question is designated under the TPO as T22.
- 1.4 The tree has previously been pruned under application *DC/05/2628*.

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 No representations have been received in respect of this application.

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 large specimen, but one with fairly low amenity value to the public, given its position in woodland to the rear of the two adjacent private residencies.
- 6.2 Sited close to 11 Woodlands Walk, the tree has a number of long high limbs overhanging the property, and it is proposed to trim these back to allow more light below. This work appears reasonable, minor, and justified, and will not cause any harm to the tree.
- 6.3 On its south-east side, over the garden of 23 Woodlands Walk, a large cracked branch has been found at approximately 8m above ground level. Emanating from the point of attachment and extending approximately 1.2m along the length of the branch, this longitudinal crack represents a clear hazard, and it is considered that action to deal with this is essential for safety reasons. It is accordingly proposed to reduce the length of this limb by 3m, thereby reducing its tip weight.
- 6.4 Both parts of the proposed works are consistent with best practice as set out within **BS 3998 'Tree Work - Recommendations' (2010)**, are reasonable and justified, and will not result in any harm to the tree or to its amenity value.

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/17/2174