

**Application Number:** BH2009/01615                      **Ward:** Preston  
**Address:** North Lodge, Highcroft Villas  
**Proposal:** To fell 2 x Elms (Ulmus spp), covered by Tree Preservation Order (No 11) 2005.  
**Officer:** Di Morgan, tel. 01273 292929  
**Date Received:** 15 June 2009  
**Applicant:** Mr Ian Fardell

## 1 Introduction

1.1 The purpose of the report is to consider the above application.

## 2 Recommendation

2.1 That the Sub-Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 7 of this report and resolves to **refuse consent**.

## 3 Description of the Application Site

3.1 This property is set back from Highcroft Villas, having a gated driveway on the roadside, next to which are a group of Elms covered by this Tree Preservation Order. The Elms are situated in a soil border to the side of this driveway.

3.2 Nine trees within the garden of this property are covered by the above Tree Preservation Order. Six of these protected trees are in a group to the left hand side of the driveway as you drive in. The two trees that the applicant wishes to fell are within this group.

## 4 Proposal

4.1 The applicant has filled in the application form stating that he wishes to fell one Elm, however, on the site visit this turned into 2 Elms that are covered by the Tree Preservation Order.

4.2 The applicant wishes to remove one Elm as he wishes to lay a new driveway, however, it is likely that this whole group of Elms have their roots in this vicinity. The current driveway appears to be a thin layer of concrete over old MOT/rubble etc. The trees' roots have, quite understandably because of its poor construction, damaged the driveway. It was explained to the applicant on site that there are ways of building driveways etc in the vicinity of tree roots without removing the trees, and as these trees are covered by a Tree

Preservation Order, construction of the driveway in sympathy with the trees would be expected.

- 4.3 The applicant wishes to fell one other Elm as he feels it impedes the access of emergency vehicles on to his property. The Elm has a swept stem that does lean over the driveway, right opposite a garden structure that appears to be a summer house. The restricted width would make it difficult for an ambulance or fire engine or other large vehicle to pass between them. It was felt by the inspecting officer that a fire truck or ambulance could stay on the road or at the driveway's entrance and still service the house in an emergency. The applicant was particularly concerned about the length of a fireman's hose, as it was approximately 60 metres from the public road to the rear of the property. A call to Hove Fire Station ascertained that this length would not faze the fire service in the event of an emergency.

## **5 Relevant Planning History**

- 5.1 None.

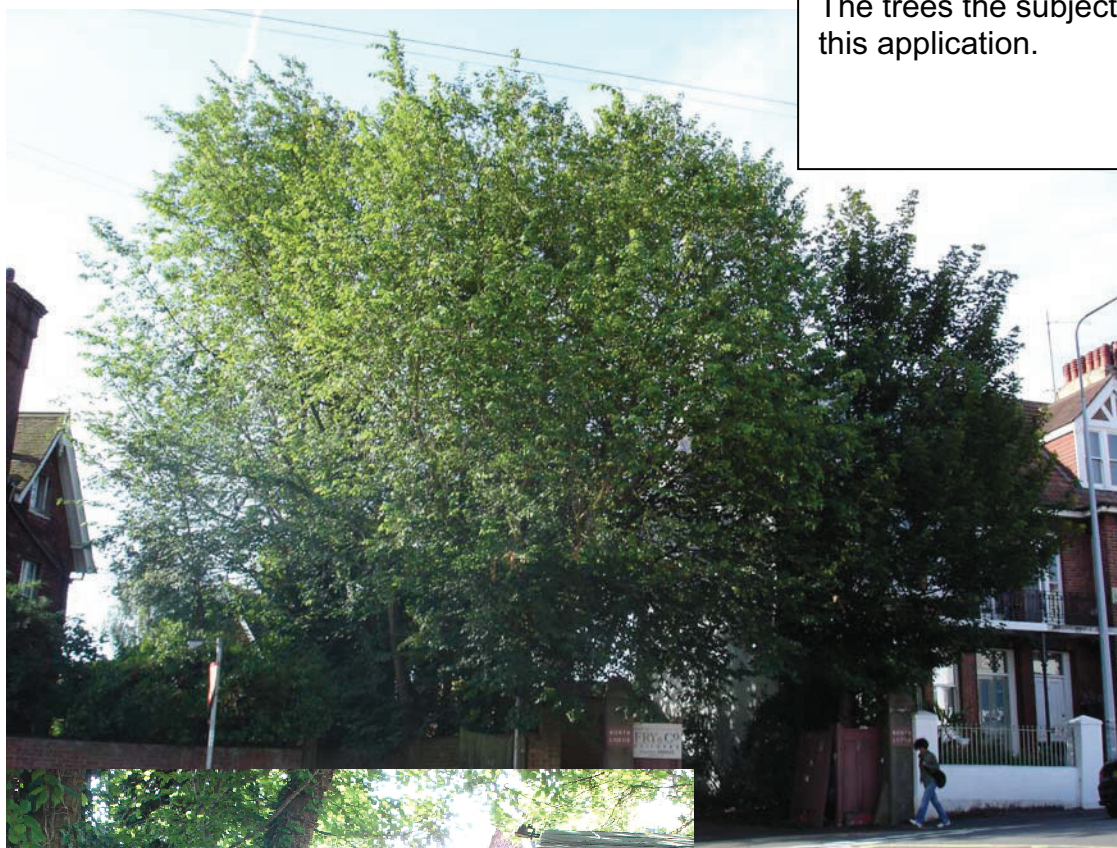
## **6 Considerations**

- 6.1 The purpose of the report is to consider the above application.
- 6.2 No loss or damage is likely to occur if felling of the above trees is refused.

## **7 Conclusion**

- 7.1 This group of Elm trees covered by Tree Preservation Order (No. 11) 2005 are highly visible from the road and the impact of their loss would be great.
- 7.2 The trees are covered in ivy and appear to have been neglected in the recent past. It is advised that the ivy is removed in order for a full inspection of the trees to be carried out to ensure that they are not a risk to anyone in their vicinity.
- 7.3 The driveway could be constructed without the removal of the trees. Arboricultural Practice Note 1 – Driveways Close to trees and BS 5837 (2005) Trees on Development Sites both advise on how to achieve the retention of the trees post-development.
- 7.4 The Fire Service has assured the Arboricultural Section that in the event of an emergency at this property, they would be able to deal with it with no need to remove the tree.

**BH2009/01615: North Lodge, Highcroft Villas**



The trees the subject of this application.



Restricted access for emergency vehicles created by Elm with swept stem and garden building.

Poorly constructed driveway that applicant wishes to replace.

**BH2009/01615: North Lodge, Highcroft Villas**



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Scale 1:500



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