

Application Number: BH2010/00887 **Ward:** Woodingdean

Address: 76 Crescent Drive North, Woodingdean

Proposal: To fell 1 x Cupressus macrocarpa (Monterey Cypress) covered by Tree Preservation Order (No 13) 1990. (Area Order).

Officer: Di Morgan, tel. 01273 292929

Date Received: 18 March 2010

Applicant: Brighton Tree Specialists

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 **grant** consent subject to the following conditions:

- The felling shall be carried out within two years under the supervision and to the satisfaction of the Local Planning Authority.
- The said existing tree shall be replaced by a tree of a size and species and in a position to be agreed by the Local Planning Authority.
- The replacement tree shall be planted during the period November to March next, following the felling of the existing tree, and such planting shall be in all respects to the satisfaction of the Local Planning Authority.
- If, within a period of two years from the date of the planting, the tree (or any other tree planted in replacement for it) is removed, uprooted or destroyed or dies, another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gives its written consent.

3 Description of the Application Site

3.1 The mature tree the subject of this application is situated in a large brick planter in the front garden of the property. The house is on a lower level than the road, the tree is at road level in a brick planter that may have been constructed at the same time as the relatively modern property.

3.2 The planter has a depth of approximately 2 metres, the length is approximately 5 metres, and the width is approximately 3 metres.

4 Proposal

4.1 The applicant wishes to fell this tree as it has caused large cracks in the supporting wall of the planter that holds the tree in place.

4.2 The applicant states they have seen the ground move in windy conditions.

4.3 The tree overhangs the house and it is felt if there is a major storm, major damage could occur to the house, which is situated on the top of a hill and open to strong winds.

5 Considerations

5.1 The tree the subject of this application is approximately 14 – 15 metres high with a crown spread of 8 - 10 metres. It is triple stemmed from approximately 1 metre from ground level with the weight of the tree being mostly over the public highway.

5.2 It could be surmised that the retaining wall of the planter was constructed at the time the property was built, and the structural roots of the tree were severely pruned at that time to allow for the different levels on site.

5.3 The south-west side of the tree normally has the structural roots that hold up the tree in an endemic (south-westerly) wind. From the south side of the tree, there is approximately 1 metre between the tree and the brick retaining wall of the planter. A tree of this size would normally have at least 4 metres of structural root to ensure its structural stability. The side passage of the house funnels wind through on to the tree from a south westerly direction. The lack of structural roots in this location therefore may affect the structural stability of the tree.

5.4 The tree has in the past been crown lifted to allow light into the property. This has lead to a high crown. The tree overhangs the property by approximately 3 metres. The weight of the tree is mostly over the road.

5.5 The tree originally had four main stems and one has been completely removed, possibly at the time the land was developed. This large wound at the base of the tree has been assessed and hollow sound tests indicate there may be pockets of basal decay in this vicinity

5.5 There is a slight gap (less than 10mm) between the soil and the northern-most trunk of the tree, which may indicate that the tree is moving.

5.6 It is highly visible from the public footpath and road on which this property sits.

6 Relevant Planning History

6.1 None.

7 Conclusion

7.1 This tree is situated in the front garden and is highly visible from the road and pavement. It has high public amenity value.

7.2 The retaining wall could be fixed and the tree remain in situ, however, it is the opinion of the inspecting officer that the lack of structural roots on the south side of this large specimen tree could seriously affect its structural stability.

7.3 The canopy is too high to reduce and therefore sufficiently reduce the risk of the tree failing.

7.4 The gap between the northern-most trunk and the soil may indicate the tree is moving and therefore may fall in an uncontrolled manner.

7.5 The tree is currently covered by an Area Tree Preservation Order. Should the Arboricultural Section update this Order to identify individual trees, the structural faults in this tree indicate that it should not be covered by Tree Preservation Order.



The tree the subject of this application.



Small planter area tree is in. Note large basal wound.

Brick planter cracked in two locations, cracks likely to have been caused by roots of tree.

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**BRIGHTON & HOVE CITY COUNCIL
TOWN & COUNTRY PLANNING ACT 1990**

TOWN & COUNTRY PLANNING (TREE PRESERVATION) (No 13) ORDER 1990

APP. No. BH2010 / 00877

ADDRESS:
76 Crescent Drive North.

J. Rowlands



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J. Rowlands
Director of Environment

