

Application Number: BH2008/02703 **Ward:** Patcham

Address: Mill House, Overhill Drive

Proposal: To fell 1 x Acer pseudoplatanus, covered by Tree Preservation Order (No. 7) 2008 (Group of 4 Sycamores, one of group).

Officer: Di Morgan, tel. 01273 292186

Date Received: 18 July 2008

Applicant: Owen Saward, Canopy Human Habitats Ltd

1 Introduction

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

2 Recommendation

- 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.
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3 Description of the Application Site

3.1 The tree is situated in a large garden that has approximately 40 trees contained within, 16 of which are covered by the Tree Preservation Order.

3.2 There have, in the past, been planning applications presented to Committee to develop this site, and it is understood that another application is currently under consideration (BH2008/02490 refers).

3.3 Originally all trees in the garden were covered by an Area Order in 2004, however, the current guidelines recommend that an Area Order is updated to show individual trees. The Arboricultural Section therefore surveyed the trees early in 2008 and the Tree Preservation Order now covers 12 individual trees and one group of 4 Sycamores. The specimen the subject of this application is one of the group of 4 trees.

4 Proposal

- 4.1 The applicant wishes to fell this specimen to the ground, stating that it has unstable forks and therefore the failure of the tree is foreseeable.

5 Relevant Planning History

- 5.1 BH2008/02490 – under consideration – erection of 4 detached 2-storey dwellings and garages.
- 5.2 BH2005/05112 – refused – outline application for 4 detached dwellings, means of access to be determined for development site.
- 5.3 BH2004/00366 – withdrawn – outline application for six detached dwellings.

6 Considerations

- 6.1 This tree is approximately 13 – 14 metres in height with a crown spread of approximately 5 metres.
- 6.2 The tree divides and becomes twin-stemmed at 1 metre from ground level. The main stems are partially ivy-clad. The fork is tight, however, one side appears to have a good stem union and the other side has a weaker union.
- 6.3 The tree has some dead wood in the canopy, however, it is not extensive.
- 6.4 No loss or damage is likely to occur if the application is refused.
- 6.5 The tree is one of many in the grounds of the property and the impact of its removal would be minimal.

7 Conclusion

- 7.1 The tree the subject of this application could be pruned to alleviate pressure on the forks that may be suspect. This would reduce the likelihood of it failing and therefore bring the risk down to an acceptable level.
- 7.2 The tree is situated in a garden that has many trees, however, they are not all worthy of Preservation Order, and two-thirds of them could be felled without any need for permission from this Council. Therefore, although the tree has little amenity value and the impact of its removal

would be negligible, its status as one of the preserved specimens on the site should be acknowledged and it is felt that the tree should be retained.

BH2008/02703
Mill House, Overhill Drive

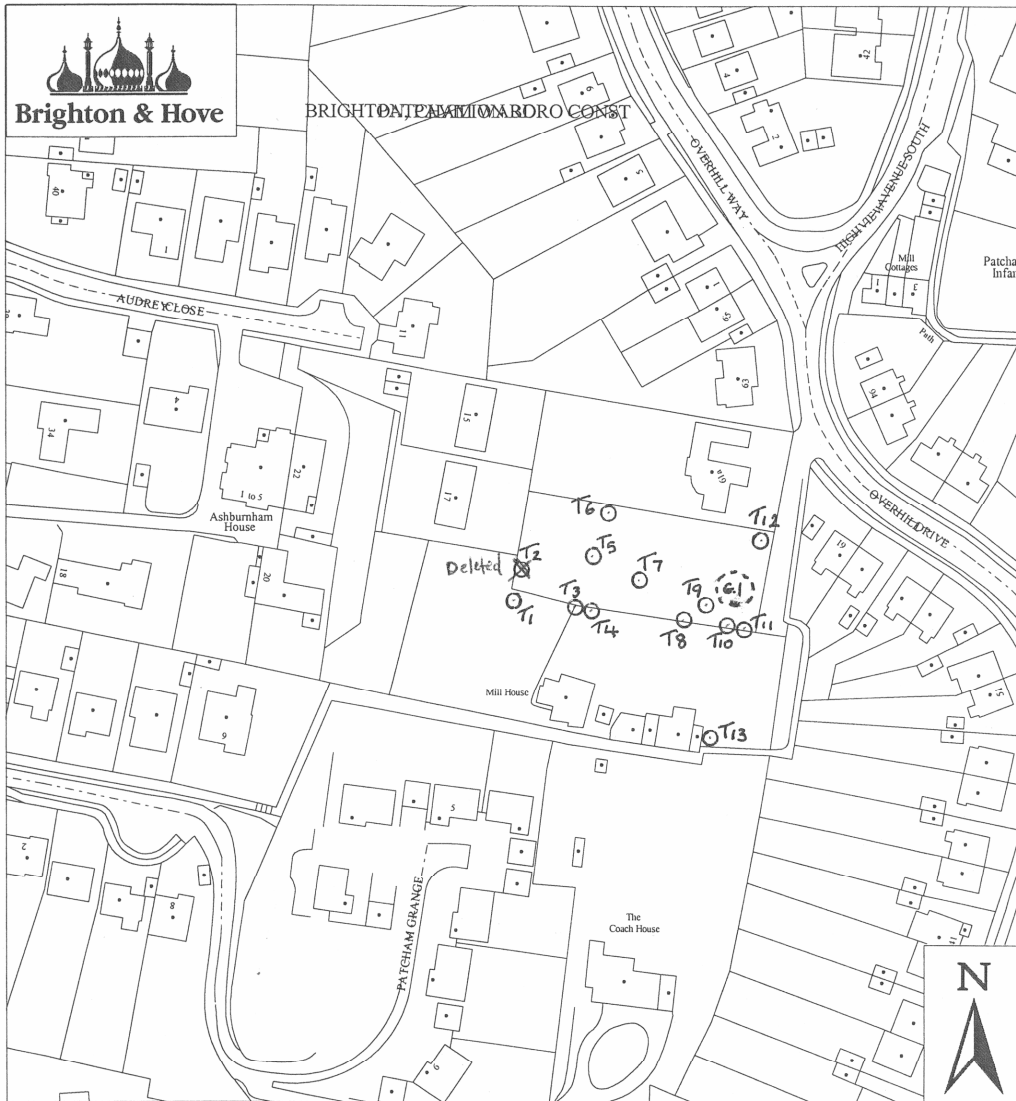


The tree the subject of this application.





Either side of twin stem showing a very tight fork and stem unions, one strong and one weaker.



BRIGHTON & HOVE CITY COUNCIL
 TOWN AND COUNTRY PLANNING ACT 1990
 TOWN & COUNTRY PLANNING (TREE PRESERVATION) (No 7) ORDER 2008

MILL HOUSE, OVERHILL DRIVE, BRIGHTON

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J. Rowlands

J. ROWLANDS
 DIRECTOR OF ENVIRONMENT

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