Horsham District Council

Mr Drew Curran
Drew Curran Tree Services
35 Hillside Road
Storrington
West Sussex
RH20 3LZ

Application Number: DC/25/0157

TOWN & COUNTRY PLANNING (Tree Preservation) (England) Regulations 2012

On behalf of: Rev Charles Hadley

In pursuance of their powers under the above-mentioned Regulations, the Council hereby notify you that they REFUSE to permit the works specified hereunder, that is to say:

Fell 1x Lime

Our Lady of England Priory School Lane Storrington Pulborough

as shown on Plan and Application Number DC/25/0157 submitted to the Council on 05/02/2025. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 **Refusal for the following reasons: It is considered that the felling of the tree, will result in a distinct loss of amenity to the locality, which is unjustified for the reasons put forward.**

Note to Applicant
The Officers full report is attached for your information.

Catherine Howe
Head of Strategic Planning

Date: 28/03/2025

ADDITIONAL INFORMATION

Right of Appeal
If you are aggrieved by the decision to refuse permission for the proposed works or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

You must appeal within 28 days of the date of the decision notice for an application for works to trees subject to a tree preservation order. Please note, only the applicant possesses the right of appeal.

The details of how to appeal together with the form which must be used can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or on-line at www.gov.uk/planning-inspectorate.

Compensation
If you suffer any loss or damage as a result of this refusal of consent, you may be entitled to recover compensation from the Council. If you wish to make a claim you must do so within 12 months from the date of this decision (or, if you appeal to the Secretary of State, within 12 months from the date of his decision). Claims should be made in writing to the address at the head of this notice.

DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO: **DC/25/0157: Our Lady of England Priory, School Lane Storrington.**

CONSTRAINT:
TPO 1170 Confirmed 12/08/2003 *(Application refers to tree T20)*

RELEVANT PREVIOUS HISTORY:
DC/15/2205 Surgery to 19 lime trees in church car park Application permitted

REPRESENTATION AND CONSULTATION RESPONSES:
Storrington and Sullington Parish Council has stated no objection No Objection - await HDC approval - once remove replace with a suitable replacement.
No additional representations have been received in respect of this application.

ASSESSMENT:
1. The tree the subject of this application is a mature lime located in a prominent position in the southeast corner of the well-used car park of the Our Lady of England Priory School Lane Storrington, which is located within the Storrington Conservation Area.

2. The applicants seek consent to fell the tree due to concerns with its lateral branches encroaching on the built form and roof of the adjacent building, and concerns with excessive tree detritus falling from the tree on the building and surrounding areas below its crown.

3. It is isolated from the main group of protected Lime trees in the area and is a standalone specimen. At the time of inspection, the tree was fully defoliated due to seasonal leaf drop. No obvious structural or physiological issues were observed during the visit. The tree appears to be in good health, with good vitality and is of fair form for the species and its size; despite its heavily compacted rooting medium, with the car park to the north and west, and the priory building which sites at a higher elevation than the tree and is located around 6m to the south.

4. The visual amenity and landscape value of the tree is not limited to the immediate locality. Whereby due to its current size, the species and form the tree is readily visible from several public viewpoints in the area.

5. A designated public footpath No. 2656 passes to the north of the tree. The footpath runs west to east, 10m to the east it divides and splits off into two. One route continues east through the adjacent area of public open space (POS) (The Glebe Field), where it joins up with the cemetery of St Mary's Church. From this aspect view of the tree can be found up to 70m away. The second footpath veers off to the northeast and goes uphill through the centre of the POS. When at the top of the hill, at the entrance to the twitten that links the POS with Rectory Close, uninterrupted views of the tree can be found up to 138m away, from this aspect the tree is highly visible as an individual tree. The tree is also visible from several viewpoints within the carpark, including the main entrance 72m to the west, and 39m to the south on School Lane, although it is acknowledged that from the south views of the tree are partly obscured by the boundary wall of the Priory. Subsequently, the tree makes a positive and substantial contribution to the character and amenities of the area.

6. Guidance on the determination of applications for works to protected trees (Planning Practice Guidance – Tree Preservation Orders and Trees in Conservation Areas) advises that consideration as to whether proposed works are justified should be considered in the light of the assessment as to the amenity value of the tree ***" the likely impact of the proposal on the amenity of the area".*** It advises that "***in general terms, it follows that the higher the amenity value of the tree or woodland and the greater the negative impact of proposed works on amenity, the stronger the reasons needed before consent is granted."*** The amenity value of this tree is considered to be excellent; its removal would be noticeable and result in significant harm to the character and appearance of the area, which a TPO is designed to uphold.

7. It is accepted that the tree retention will not help to address the concerns of the applicant. Whereby it will continue to grow towards the adjacent building, and at times sap and detritus will fall onto the area below, and around the tree. The Council have formerly consented to reasonable works to maintain tree size and separation from the built form of the nearby building. Similar applications would be duly considered and consented to, in accordance with best arboricultural practice.

8. In terms of falling detritus, while it is acknowledged that the action of sap, leaves and twigs falling from the tree may be deemed to be a nuisance by the applicants' and the removal of such debris from the area around the tree may be considered to be inconvenient. However, it is generally accepted that the removal of such debris is part of the general maintenance work required for the upkeep of a property, and the action of a tree dropping such debris is a normal function of nature.

10. The applicant's willingness to plant a replacement tree is acknowledged. However, in this respect any replacement tree, even if of heavy-duty nursery stock, would take many years to reach a similar stature and thus would take many years to reinstate a similar level of visual amenity. Replacement planting would therefore be insufficient to mitigate the harm to the character and appearance of the area if the tree were to be removed.

11. On balance, the reason put forward for the removal of the tree is not considered to outweigh the visual amenity value and positive contribution that the tree makes to the character of the area, and that of the Conservation Area. As such the proposed felling of the tree would result in considerable harm to the character and appearance of the area and it is considered that insufficient justification has been demonstrated to justify this action.

RECOMMENDATION:
Refusal for the following reasons: It is considered that the felling of the tree, will result in a distinct loss of amenity to the locality, which is unjustified for the reasons put forward.

DELEGATED

Authorising Officer sign……ANBU……., ***Arboricultural Officer (Strategic Planning).***

Date……28 Mar 25…