Horsham District Council

Mr Gary Collier
G Collier Forestry
Mulberry Barn
Stane Street
Five Oaks
Billingshurst
RH14 9AG

Application Number: DC/24/0588

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

On behalf of: Gary Sage J Sage Builders Ltd

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 x1 Sycamore

2 The Limes North Parade Horsham West Sussex

as shown on Plan and Application Number DC/24/0588 submitted to the Council on 17/04/2024. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 Refuse for the following reason - It is considered that the removal of the tree the subject of this apclation would cause harm to the character and amenities of the locality, an action which is unjustified for the reasons provided.

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

Catherine Howe
Head of Strategic Planning

Date: 15/07/2024

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/24/0588: 2 The Limes , North Parade, Horsham.**

REPRESENTATION AND CONSULTATION RESPONSES:
Trafalgar Neighbourhood Council has stated no objection to this proposal.
No additional representations have been received in respect of this application.

ASSESSMENT:
1. The tree the subject of this application is a mature Sycamore listed as T12 of TPO/0417, the order was served on 17-09-1382; It is in the rear garden of 2 The Limes. The property is located in a small gated residential development, located in what would have historically been the garden area of a larger residence (West Lodge North Parade); the site is accessed from the north, on North Parade.

2. Over the years since the initial serving of the order, several trees at the site have been lost, and the tree in question one of the last remaining protected trees in this part of the site, following the most recent removal of T14 Oak under application DC/21/1549.

3. The applicant seeks consent to fell and replace the tree with an ornamental species of tree on the grounds that they consider that the tree is of low amenity value.

4. The tree currently appears of fair health and form for the species. It has been managed for size and form due to its residential setting, by way of previous surgery works; it has recovered well from these works and is displaying good leaf density and vigour. It has a dense and compact form following the surgery, and it has a very reasonable relationship with the built environment around it, whereby no part of the tree is encroaching on or interfering with the dwelling 2 the Limes, or any other nearby buildings. At the time of inspection, there were no obvious signs of any significant dieback or deadwood in the tree's crown, nor were there any signs of fungal colonisation which would suggest that the tree may be structurally compromised or in a declining physiological condition.

5. Following the works completed under DC/21/1549, it is accepted that views of the tree from the north-on-North Parade are limited; only the top 1m to 2m of the tree is visible over the roof of 2 The Limes when viewed for this aspect. However, when viewed from the main parking areas for 1 and 2 the limes due to the absence of any other mature trees in the imitate area, the tree is highly noticeable and stands out as the principal mature arboreal feature in the area. In addition, when the adjacent residential development south of T2 the Limes is completed, the tree will become visible from the parking area at the front of the new property, thus increasing its visibility, landscape and amenity value when viewed from the south.

6. The tree has a good level of localised landscape and amenity value when viewed from within the site, but it is acknowledged from further afield on North Parade, views of the tree are restricted due to the built-up residential nature of the area. Presently the reasons provided to justify the loss of this protected tree do not appear to carry any significant weight, due to its good health, and fair relationship with its surroundings. Also, any replacement tree even of heavy nursery stock would take many years to reach a size and form equivalent to that of the Sycamore tree, and thus reinstate the level of amenity that the tree currently provides to the area. Therefore, in this instance, It is considered that the action of felling the tree would result in landscape harm and a loss of visual amenity value to the locality, an action which is unjustified for the reasons provided.

RECOMMENDATION:
Refuse for the following reason - It is considered that the removal of the tree the subject of this apclation would cause harm to the character and amenities of the locality, an action which is unjustified for the reasons provided.

DELEGATED

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

Date……15 Jul 24…