



The Planning Inspectorate

Appeal Decision

Site visit made on 16 February 2016

by **Jonathan Fulcher**

an **Arboricultural Inspector** appointed by the Secretary of State for Communities and Local Government

Decision date: 22 March 2016

Appeal Ref: APP/TPO/T1410/4600

19 The Coombe, Ratton Manor Estate, Eastbourne, East Sussex BN20 9DB

- The appeal is made under regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 against a refusal to grant consent to undertake works to trees protected by a Tree Preservation Order (TPO).
 - The appeal is made by Mrs H Snook against Eastbourne District Council.
 - The application dated 21 March 2015 ref: PC/150328 was refused by notice dated 20 April 2015.
 - The proposed work is the pruning by crown reduction of two beech trees.
 - The relevant TPO is the County Borough of Eastbourne Tree Preservation Order, No. 8 which was confirmed by the Minister of Housing and Local Government on 19 April 1968.
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Decision

1. I dismiss the appeal.

Main Issues

2. In my view the main issues in this case are:-
 - i) The effect of the proposed pruning on the visual amenities of the area; and
 - ii) Whether or not there are sufficient grounds for the works as proposed.

Reasons

Effects of proposed works on amenity

3. The appeal trees are two maturing beech trees out of about a dozen trees of similar size in the rear garden of 19 The Coombe. The appeal beech trees are up to about 17m in height and are the trees in the rear garden nearest the dwelling at 10m or more from the rear elevation of it. The tree slightly further from the dwelling is scrappy in the crown with dead wood and die-back; but both trees otherwise appear to be in reasonable health and condition and within the range of normal for the species.
4. The appeal trees are effectively the leading northwards edge of woodland that extends south and east beyond the rear boundary of 19 The Coombe and into the land of Willingdon Golf Club to the south. Within the rear garden of 19 The Coombe the woodland is not dense, with readily distinguishable individual trees and a grassy floor with no significant understorey of shrubby growth or regeneration. Further to the south and west the woodland is more dense with trees more closely spaced. The local ground form and density of trees means that the appeal trees are distinguishable only from The Coombe – there is a path on the south side of the rear boundary of 19 The Coombe, but from here the

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appeal trees appear as elements in the general tree population. From The Combe it is possible to distinguish the appeal trees individually, but the proximity of other trees and the backdrop of woodland quickly reduces the perception of the appeal trees to part of the wooded character of the landscape. The proposed pruning by reduction of 50% is likely to have a very significant adverse effect on the health of the trees, as beech does not respond well to the loss of substantial parts of its crown. The 50% reduction is also likely to render the trees invisible from The Combe, reducing the amenity value of the trees to a small fraction of what it is now. I am satisfied that the appeal beech trees have amenity value and that the proposed pruning is likely to have a significant adverse effect on the visual amenities of the area.

Grounds for the proposed works

5. The application of 21 March 2015 gave no reasons in support of the application.
6. The appeal submissions refer to keeping the trees well maintained. I agree with the Council's comment that crown reduction of 50% is not in accordance with the guidance in BS3998 : 2010 – *Tree work – Recommendations*. Reduction by 50% is not normally considered to be good maintenance unless there are very pressing reason for such works. I have not seen evidence that such works are appropriate.
7. I accept that no tree is immune for the risk of failure if weather conditions are sufficiently severe. I have not seen evidence to suggest that the appeal beech trees are so vulnerable to such conditions that reduction by 50% is warranted.
8. I find that the reasons for the proposed pruning of the appeal beech trees are not supported by the evidence submitted with the application or appeal. In consideration of the circumstances I conclude that I should dismiss the appeal.

Conclusions

9. The appeal beech trees make a contribution to the local landscape and the proposed pruning has the potential to have an adverse effect on the health and appearance of the trees and on the visual amenities of the area.
10. On the basis of the evidence I have seen I find that the reasons for pruning do not outweigh the amenity value of the trees and do not warrant the proposed works.
11. I conclude that the proposed pruning of the appeal beech trees is not warranted on the evidence and I therefore dismiss the appeal.

Jonathan Fulcher

Arboricultural Inspector