

**Application Number:** BH2010/03467      **Ward:** Woodingdean  
**Address:** 45 Crescent Drive North  
**Proposal:** To fell 1 x Aesculus hippocastanum (Horse Chestnut), 1 x Betula pendula (Silver Birch), 1 x Fagus sylvatica (Beech) covered by Tree Preservation Order (No. 12) 1986.  
**Officer:** Di Morgan, tel. 01273 292929  
**Date Received:** 28 October 2010  
**Applicant:** R W Green Ltd, Lewes

## 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 **refuse** consent.

## 3 Description of the Application Site

3.1 The trees the subject of this application are all situated in the front garden of 45 Crescent Drive North.

## 4 Proposal

4.1 The applicant wishes to fell the Horse Chestnut as it is heavily infested with Camararia orhidella (Horse Chestnut Leaf Miner), which has lead to significant premature leaf drop. A stem wound is present at 300 mm above ground level, decay detection with a sounding mallet indicated no structurally significant decay at this point. A level change between the adjacent highway in Treetops Close and the ground level of the site is facilitated by a brick retaining wall. The wall is displaying signs of significant displacement as a result of soil desiccation and root movement. This is further exacerbated by the semi-mature yew hedging surrounding the front garden but primarily is attributable to the tree. This tree needs to be removed to facilitate re-landscaping of the front garden, the applicant states that extensive replacement planting will be undertaken with species conducive to inclusion in urban landscape schemes.

4.2 The applicant wishes to fell the Silver Birch, stating it is a mature tree and fair specimen located centrally within the front garden. It

is drawn up by the surrounding vegetation and largely invisible from ground level with the majority of the canopy forming above the surrounding lower canopy level. Deadwood up to 50 mm diameter is present on the main stem. Again, the tree needs to be removed to facilitate re-landscaping of the front garden, the applicant states that extensive replacement planting will be undertaken with species conducive to inclusion in urban landscape schemes.

- 4.3 The applicant wishes to fell the Beech, stating it is an early-mature fair specimen located at the northern end of the tree group closest to the property. The main stem bifurcates at 6m above ground level forming a co-dominant canopy structure from an included bark union. Due to the proximity of this tree to the adjacent property and the structural defect it is not a sustainable individual and will be the subject of repeat application to the Local Authority for heavy pruning. Again, the tree needs to be removed to facilitate re-landscaping of the front garden, the applicant states that extensive replacement planting will be undertaken with species conducive to inclusion in urban landscape schemes.

## **5 Relevant Planning History**

- 5.1 None.

## **6 Considerations**

- 6.1 The Horse Chestnut is approximately 12 metres high with a crown spread of 10 – 11 metres. Horse Chestnut Leaf Miner (*Camararia orhidella*) affects the leaves of the tree and whilst it may be detrimental to the tree, it does not affect the structural stability of the tree. As stated by the applicant, there is a stem wound at 300 mm above ground level, but there would appear to be no structurally significant decay at this point. It is likely that the brick retaining wall has been damaged by the root activity of the Horse Chestnut. However, the wall will need to be repaired regardless of whether the tree stays or is felled, and therefore it was felt by the Inspecting Officer that the tree could remain in situ and the wall be rebuilt around it. Engineering solutions could be sought at the time of the rebuilding of the wall that would minimise the likelihood of future root damage.
- 6.2 The Silver Birch is approximately 15 metres high with a crown spread of 8 – 9 metres. The tree is drawn up as it has grown amongst the other trees the subject of this application. The deadwood appears to be minimal at this stage and could be pruned out.
- 6.3 The Beech is approximately 13 metres high with a crown spread of 6 – 7 metres. There is a weak union at approximately 6 metres

and the tree may be closer to the property than is ideal, however, both of these issues could be overcome by regular judicial pruning.

- 6.4 None of the above trees had visible defects at the time of the inspecting officer's visit that could not be overcome by an appropriate pruning regime.
- 6.5 No loss or damage is likely to occur if the application is refused (the wall has already been damaged).

## **7 Conclusion**

- 7.1 The trees the subject of this application are of high public amenity value, being in the front garden of the property which is on the corner of 45 Crescent Drive North and Treetops Close.
- 7.2 The structural defects mentioned in the above trees are not of a nature that the trees need to be felled. A regular maintenance regime for the trees would sufficiently reduce the risk of the structural defects mentioned failing in an uncontrolled manner.
- 7.3 The Inspecting Officer agrees that the Horse Chestnut is likely to be the cause of the cracking in the brick wall, however, in the main it would appear that only the expansion joints have cracked. This wall could be rebuilt and the tree remain in situ.
- 7.4 The front garden could be re-landscaped and the trees remain in situ, however, it is appreciated that the options for landscaping are severely restricted.

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45 Crescent Drive North



The trees the subject of this application.

Expanded expansion joints.



Front garden of 45 Crescent Drive North showing the trees covered by Tree Preservation Order.



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