

MID SUSSEX DISTRICT COUNCIL

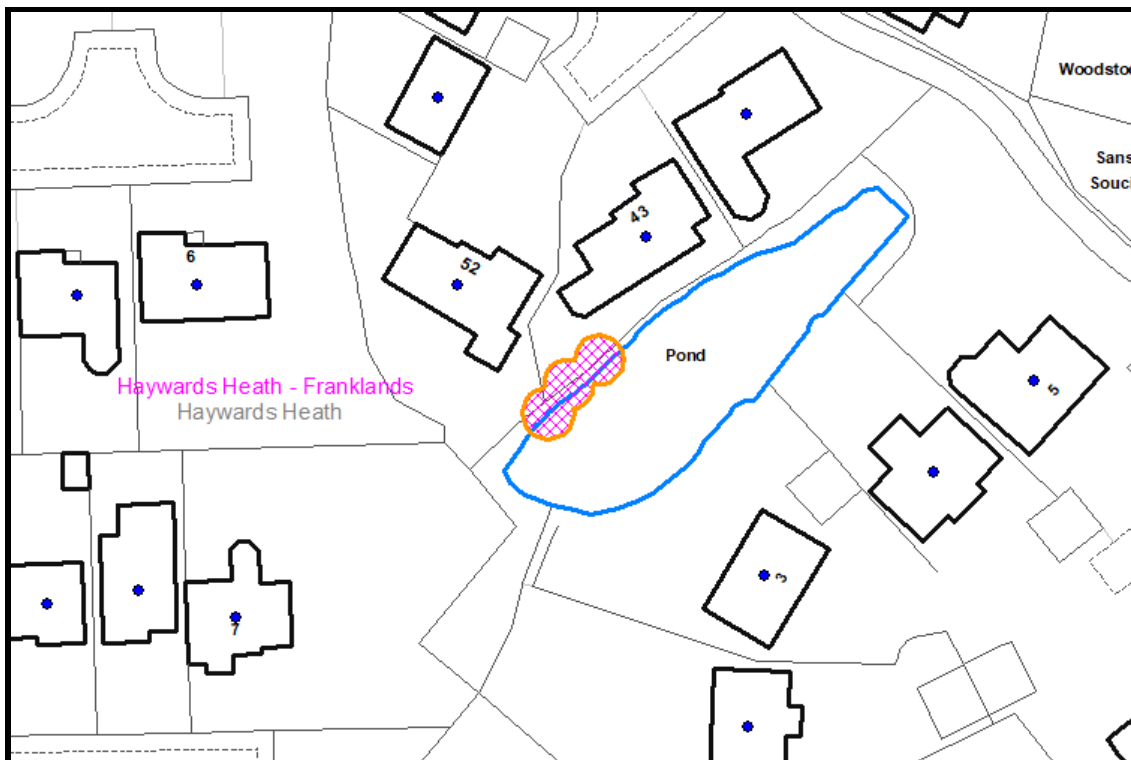
Planning Committee

10 FEB 2022

RECOMMENDED FOR PERMISSION

Haywards Heath

DM/21/3785



© Crown Copyright and database rights 2021 Ordnance Survey 100021794

**6 BURMA CLOSE HAYWARDS HEATH WEST SUSSEX RH16 3JE
MATURE OAK TREE, REMOVE LOWEST LIMB OVER POND BACK TO TRUNK AND REDUCE PREVIOUSLY REDUCED GROWTH ONLY, BACK TO PREVIOUS CUT POINTS. HORNBEAM, REDUCE LOWER CROWN ONLY BY UP TO 2M. YEW TREE, REDUCE GROWTH OVERHANGING POND BY UP TO 2M AND HAZEL, COPPICE TO BASE.
MICHAEL PULFER**

POLICY: Built Up Areas / Conservation Area / Post 1974 Conservation Area Boundary / Planning Agreement / Planning Obligation / Aerodrome Safeguarding (CAA) / Trees subject to a planning condition

ODPM CODE: Tree Application

WARD MEMBERS: Cllr Rod Clarke / Cllr Michael Pulfer /

CASE OFFICER: Irene Fletcher

PURPOSE OF REPORT

To consider the recommendation of the Divisional Leader for Planning and Economy on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Permission is being sought for works to a number of trees at 6 Burma Close, Haywards Heath. This application is before Committee as the applicant is a District Councillor.

The trees are located around a wildlife pond, set well back from the property itself and with little/no public visibility. The rear gardens of other properties surround the rest of the pond, along with other protected trees. Trees in the vicinity include a number of native species, all of which contribute greatly to the biodiversity of this unique space.

The works, as amended, are considered appropriate to allow more light to reach the pond without undue harm to the health or amenity value of the trees, and as such it is considered that the proposals comply with policy DP37 of the Mid Sussex District Plan.

SUMMARY OF REPRESENTATIONS

None received

HAYWARDS HEATH TOWN COUNCIL

The Town Council defers this decision to Mid Sussex District Council's Tree Officer.

INTRODUCTION

Permission is being sought for works to a number of trees at 6 Burma Close, Haywards Heath. This application is before Committee as the applicant is a District Councillor.

PLANNING POLICY

Mid Sussex District Plan

Policy DP37 - Trees, Woodland and Hedgerows

Haywards Heath Neighbourhood Plan

The plan was made on 15th December 2016 and forms part of the Development Plan for the District and policies should be afforded full weight.

There are no relevant policies

ASSESSMENT

The trees are located around a wildlife pond, set well back from the property itself and with little/no public visibility. The rear gardens of other properties surround the rest of the pond, along with other protected trees. Trees in the vicinity include a number of native species, all of which contribute greatly to the biodiversity of this unique space.

This application has been substantially amended, with the agreement of the applicant to lesser and more appropriate works

It would appear, on further investigation by officers following the submission of the application, that only the Oak tree is subject to a TPO (ref HH/6/TPO/1988), whilst others are protected by a planning condition (restricting the removal of, and work too, trees on the site at the time of the application) associated to the original development of the property (CU/172/75 and CU/305/77 refer). It should be noted that historical conditions that seek to protect trees/hedges in this way would not normally attract the need for a formal application, however, given that they were included within the description, and for the sake of transparency, the assessment has considered all the requested works.

Policy DP37 sets out (amongst other things) that proposals that damage or lead to the loss of trees that contribute either individually, or as group, to the visual amenity value or character of the area, or have wildlife importance, will not normally be permitted. In this case it is recognised that previous work has taken place to the trees to allow light to the pond, but unfortunately, due to the vegetation growth, leaves are again shading the water. It is considered that the proposed are acceptable and comply with policy DP37 of Mid Sussex District Plan.

CONCLUSION

The works, as amended, are considered appropriate to allow more light to reach the pond without undue harm to the health or amenity value of the trees, and as such it is considered that the proposals comply with policy DP37 of the Mid Sussex District Plan.

APPENDIX A – RECOMMENDED CONDITIONS

None

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Site Plan			05.11.2021

APPENDIX B – CONSULTATIONS

Parish Consultation

The Town Council defers this decision to Mid Sussex District Council's Tree Officer.