

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0028	Case Officer:	Irene Fletcher
Application Type:	Tree Surgery		
Proposal:	Pine tree - fell to ground level and ground out stump.		
Site:	69 Western Road, Haywards Heath, West Sussex, RH16 3LR, , , ,		
Validation Date	8 Jan 2026	Overall Expiry Date:	29 Jan 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	3 Feb 2026
Target Date:	5 Mar 2026	Recommending Officer Signature:	Irene Fletcher

Date Legal Agreement Completed: (if applicable)		No of Representations:	11
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Signed and Agreed By:	Beth Howland-Smith	Date:	5 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0028

**69 Western Road, Haywards Heath, West Sussex, RH16 3LR, , ,
Pine tree - fell to ground level and ground out stump.
Miss Catherine Holmes**

Permission is sought for the works as described.

The tree is a mature, single stemmed specimen, located to the front of the property. It is a highly visible and valuable specimen, which makes a positive contribution to the local area. The tree has a slight lean, not inconsistent with its species. The crown appears healthy, with no signs of die back. There are no signs of basal decay or fruiting bodies. Whilst an adjacent path has cracked, this is consistent with a non permeable surface and conifer roots, particularly following the last, hot summer.

No tree report has been submitted as part of the application, although the applicant has previously been advised that this would be required.

The reasons for felling are stated to be the proximity to the building, subsidence issues, close to school; if tree were to fail, it would be catastrophic.

No evidence has been submitted for subsidence issues.

7 representations of support for the application have been received, making the following comments :

- pine tree is a potential hazard
- need to make area much safer, prevent damage/fatal accident
- concerned for residents, local school children walking to school, road users and bus stop users
- even if pine is healthy, no tree expert can 100% confirm it will not fall down
- tree is huge, close to property and road and is leaning towards road
- tree is leaning towards shared drive, house, road, too close to shared drive
- consider 50% reduction
- KPS comments should be taken seriously

1 representation neither supporting the application, nor objecting, makes the following points :

- tree appears healthy with no immediate risk
- removal of tree would contravene TPO
- protecting trees in town is important, though it is recognised that potential damage would be severe
- could the tree officer consider a 50% reduction as a compromise ?

1 representation objecting to the application has been received, making the following points :

- tree appears to be healthy and not in danger of falling
- insufficient grounds exist to override TPO
- tree could be reduced

5 representation/supporting statements have been received from the applicant, making the following points :

- works needed to prevent catastrophic property damage and life threat to the public/school children, the public/neighbours and bus stop users
- even if tree is considered healthy, it must be replaced; it is not technically possible to prove 100% that it will not fall
- size and position of tree is very dangerous, it leans towards road

- risk/hazard is too high
- neighbours wish pine tree to be removed
- will be replaced with a beautiful, safe tree
- cannot be proved 100% that root structure will support the tree
- council do not own the tree and it's not in a Conservation Area
- removal of the tree will prevent legal action taken by third parties if tree falls down

A further representation of support has been received from the applicant, following the end of the consultation period where the applicant now advises that an urgent visit was made by a tree surgeon who advised that the tree is dying, the tree has moved in the last 2 months, safety is more important than visual amenity and the only way to eliminate the danger is to fell the tree or reduce it by 50% and the roots are showing at the base of the tree.

Again, a tree report has not been provided, nor a statement from the tree surgeons.

Whilst mention is made of a 50% reduction, it is not possible to consider an either/or option via an application. In any event a large reduction is likely to impair the stability of the tree, as well as its amenity value.

The tree officer examined the tree closely and could find no visible defects. In view of this and the significant visual amenity value, it is not considered that sufficient evidence has been provided to justify the felling of the tree.

Refusal is recommended.

Decision: Refusal

Case Officer: Irene Fletcher