

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2903	Case Officer:	Irene Fletcher
Application Type:	Tree Surgery		
Proposal:	Oak Tree - Fell to ground level.		
Site:	28 Blackthorns, Lindfield, Haywards Heath, West Sussex, RH16 2AY, , ,		
Validation Date	11 Nov 2025	Overall Expiry Date:	22 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	14 Jan 2026
Target Date:	6 Jan 2026	Recommending Officer Signature:	Irene Fletcher

Date Legal Agreement Completed: (if applicable)		No of Representations:	7
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Signed and Agreed By:	Beth Howland-Smith	Date:	14 Jan 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2903

**28 Blackthorns, Lindfield, Haywards Heath, West Sussex, RH16 2AY, ,
Oak Tree - Fell to ground level.**

Mr James Fry

Permission is sought for the works as described.

The tree is located in a prominent position adjacent to the pavement. The garden fence, abutting the pavement, has been cut to accommodate the trunk. This is a mature specimen and provides high amenity value to the area. However, approx 50% of the crown is dead and, when viewed last season, it was noted by the tree officer that living wood exhibited sparse and small leaves.

Permission was granted under ref DM/25/1881 to reduce the tree by 1m. It is understood that work was carried out in October of last year. A significant amount of dead wood was also removed at this time. It was hoped that this would encourage some rejuvenation of the tree. However, this has not had an effect and the tree continues to deteriorate. The tree officer noted at the time, in her report, that the tree exhibited significant 'staggering'. She also noted a very constricted rooting area for the tree with pavement/road one side and some hard surfacing within the garden area. She considered that damage to the tree was likely to be due to a change in levels when the development was constructed. This would take many years to impact on the health of the tree.

Three objections have been received, making the following points :

- tree should be given more time to recover from previous surgery, premature to fell now
- Shanly Homes cut the roots of this tree when digging a sewer
- box has been ticked to say no concerns about the tree breaking or falling
- sonic tomography could be carried out, rather than condemning the tree because it sounds hollow
- what are MSDC reasons for proposing to fell the tree
- if tree is deemed to be a danger to surrounding properties or pedestrians, it would be sensible to fell
- council should be sure tree is in terminal decline before approving its removal
- loss to neighbourhood of significant feature of Blackthorns
- following previous work, only a portion of the tree looked healthy and other branches showed small leaves

A representation of support has also been received, making the following points :

- tree is deteriorating and very close to the boundary, the back of the crown is particularly deteriorating with a number of dead branches
- tree now appears unbalanced with the majority of the crown overhanging the footpath and road
- owners had a crown reduction to help recovery, application doesn't contain enough information re hollowness, with no explanation of cause or significance of hollowness
- no risks to people or property mentioned
- condition of deteriorating crown not mentioned
- officers should have sufficient evidence to justify removal of tree
- the tree is 12m from my property and poses a risk

With regard to the objections, it would be expected that some recovery would have taken place following surgery, however, the tree has continued to deteriorate from when it was viewed by the tree officer last summer. It is possible that the roots were severed, it would certainly appear that soil levels have changed, however, there is little chance of recovery from either impact in the longer time and both are difficult to prove without excavation and causing further damage to the tree. Either, or both, activities would have a detrimental impact on the health of the tree and would cause die back in the longer term.

Risk from the tree, or the deterioration of the crown are not mentioned as a reason to fell, possibly because they are plainly observable to anyone looking at the tree. Clearly, if the tree has deteriorated to such an extent, it poses a risk, particularly in such a high target area. The tree officer considers, having viewed the deterioration of the tree over a number of years, and looking at the tree closely last summer, that it is beyond recovery. Whilst it is a hard wood tree and the risk from falling branches is less than with a soft wood tree, nevertheless, it poses a high risk to neighbouring land/property and highway users. The fact that the tree also sounds hollow is a factor, and a tomograph, as suggested, would not normally be carried out on a tree in such severe decline. It would normally be used on trees exhibiting few other symptoms, where the request is to fell. Finally, MSDC is not seeking to fell the tree, the house owner is.

The tree is considered a significant feature of the area and its loss would be highly regrettable, nevertheless, safety must take priority.

With regard to the parish council comments, they refer to a tree report on an ash tree, with considerable differences in terms of species and disease. In this case, the tree decline is so obvious and visible that the tree officer does not consider that a tree report is required. Photographic evidence of issues that the tree has, have been submitted.

It is to the credit of the applicant that he has already had dead wooding and a reduction carried out, in order to give the tree a chance to regenerate. The tree has continued to deteriorate and it is considered that it poses an unacceptable risk.

Permission is recommended.

Decision: Permission

Case Officer: Irene Fletcher