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10th March 2026

Our ref: SJA reb 25387-01

LPA ref: DM/26/0135

Finches, 75 Folders Lane, Burgess Hill

**Response to Tree Officer comments objecting to planning application ref:
DM/26/0135**

1. On behalf of Talbot Developments (Sussex) Ltd. "the Applicant", SJAtrees has been instructed to prepare this rebuttal of the Tree Officer's comments on this application. The tree officer objects to the application on the grounds that the south facing gardens of the two southern plots would be shaded by the trees to the south of the site to such a degree that the trees will necessitate regular pruning. The Tree Officer has specifically cited Policy DP37 in her objection.
2. This issue was discussed in detail in Section 7.1 of the report prepared by us and submitted with the application. The salient points being that the trees are off site, and therefore outside the ownership of future residents; the dwellings will have large bi-fold doors to the rear to maximise light ingress; the trees are deciduous and hence will allow some light through the canopies in the winter months when light is scarcer; it would be possible to manage/remove some lower level vegetation to allow light to penetrate beneath the canopy of the mature oak tree; it would be possible to prune the trees to help alleviate some shade (such as crown thinning or light reduction of the northern canopy extents) without detracting from the contribution of the trees to the character and visual amenity of the area; and the trees are covered by a TPO and hence the LPA has full control over what works are done to the trees.
3. The Tree Officer has not responded to any of these points in her objection to the proposals and merely states a perceived risk of pressure to have the trees regularly pruned and that regular pruning would be detrimental to the long term health of the trees. The former is not foreseeable as there is no way of knowing how the new residents will view the trees. The latter is not necessarily true; oak

trees, as a species, can tolerate regular pruning without it being detrimental to their long-term health, it simply depends on the type and extent of pruning – that the LPA would have full control over.

4. I think this should be viewed as an opportunity for the LPA to work with new residents to find a suitable pruning and management regime for the future relationship between tree and dwelling rather than as an assumption that the tree will be harmed. This opportunity to work with the new residents, should be assessed in the context of this being a planning application for some much needed housing.

5. The tree officer has referenced Policy DP37, which states, *inter alia*: '**proposals for works to trees will be considered taking into account: ... the contribution of the trees to the character and visual amenity of the local area...**'. As outlined in our report, and above, it is entirely possible to comply with this policy by developing a pruning regime that would not harm the tree's contribution to the character and visual amenity of the local area.

6. Therefore, whilst it is acknowledged that the trees will cast some shade to the gardens of two of the proposed dwellings, this has been mitigated as far as is possible in the design and layout of the dwellings. The relationship between trees and proposed dwellings can be managed proactively in such a way that any works proposed to the trees does not need to be detrimental to their long-term health or their contribution to the character and amenity of the local area. This would not be contrary to local planning policy and should be considered in the context of the desire to maximise the re-development potential for this site.

Yours sincerely,

Frank Spooner

**Senior Consultant and Operations Director for
SJAtrees**