Development Management – Delegated Officer Report **Date; 02/06/23**

Application Number	**AWDM/0555/23**
Address	**Flat 6 28 Mill Road Worthing West Sussex BN11 5DR**
Proposal	**Section 211 Notice under the Town and Country Planning Act 1990 to fell one Ash tree in the Mill Road Conservation Area.**

Date of site visit: 27/04/23

Neighbours checked: Y
Additional neighbour notifications: N
Site notice: (wider publicity / conservation area): y

Proposal, Site and Surroundings

The application refers to a medium sized early mature Ash tree, located in the centre of the small rear garden, close to the boundary wall and garage block. The tree is a part of the local landscape and makes a contribution to the character and visual amenities of the Mill Lane Conservation Area.

Consent is sought to fell one Ash tree in the Mill Road Conservation Area.

The reasons for the works are primarily in the interests of safety and amenity value.

Consultations: Letter sent to The Worthing Society who did not respond.

Representations: One representation from a nearby neighbour raising concerns that the removal of the tree may result in ground heave.

Relevant Planning History

1988: The property is included within Conservation Area VIII (Mill Road) designated by the Council on 20th December 1988.

2002: Application to fell one Yew tree adjacent to property (part of Group G1).

2013: Section 211 Notice under the Town and Country Planning Act 1990 to fell one Conifer Tree in Southeast Corner of front Garden in the Mill Road Conservation Area.

2018: Section 211 Notice under the Town and Country Planning Act 1990 to lateral prune to clear the fabric of the building by 2m and lateral prune to source 1 x 75mm diameter limb at 1.8m heading over the fence post one Ash tree T1.

2018: Secton 211 Notice under the Town and Country Planning Act 1990 to lateral prune to source the stem sections overhanging the parking bay one Bay tree SH1. Lateral prune to source/suitable growth points subordinate branches over the parking bay one Western Red Cedar T2. Lateral prune to source 2 x subordinate branches hanging/resting on the garage roof one Griselinia Littoralis in the rear garden T3.

2018: Section 211 Notice under the Town and Country Planning Act 1990 to reduce height by 1.5 metres and lateral canopy reduction of 2 metres to one Ash tree.

Planning Assessment

The tree is a small to medium sized early mature growing in the rear garden. The tree is part of the area, with mostly limited public views. The Ash tree has a single stem to 2.25 metres where it then divides with the central stem persisting to 9 metres before dividing into several smaller stems. The main crown is mostly high, dense and wide spread. There is severe bark damage to the base of the tree with exposed heartwood on the northeast side that extends from ground level to 2 metres. This area has decay and what appears to be a secondary fruiting body (Fungul) decay.

The proposed works are to fell the tree due to poor condition.

Recommendation

Grant Consent, Not subject to Conditions:

Is recommendation contrary to letter(s) of representation?

Yes, representation has been received that does not object to the tree being removed, but has concerns that its removal may affect the foundations of the adjacent property due to ground heave. Although this may need to be considered the Local Planning Authority can only retain the tree (by use of a Tree Preservation Order) or allow it to be removed without conditions. As the tree is not worthy of protecting, only consent to fell has been given.

Case Officer: JDS Date: 02/06/2023

Authorised by: PB Date: 5/6/23