expires 29/4/09

**Development Control – Delegated Officer Report**

**Application Number: ADC/0081/09 Recommendation - Permit**

**Site:** **Southerly Mount Way Lancing West Sussex**

**Proposal:** **Reduce height of ash tree in rear garden (subject to TPO 13.53/2/2006/L) by crown reduction of 50% and reduction in height of remaining tree by 2m**

## The Application

The application relates to a twin-stemmed ash tree in the rear garden of the application site. The tree is part of a group TPO (13.53/2/2006/L) which extends to the south of properties in Mount Way, to the west of properties in Mill Lane and to the north of properties in Fairview Road. The TPO covers and area of 0.94 hectares and the gardens of 15 dwellings.

Previously permission was granted for the reduction in height of the ash tree by up to 2m (ADC/0687/07). The one year permission has now lapsed and permission is sought to renew the permission.

A recent Appeal Inspectors decision on a refused application for 4 detached dwellings to the rear of No's 6 Fairview Road, 69 and 77 Mill Road (ADC/0181/07), concluded that the loss of 19 protected trees would have a very significant impact upon the visual qualities of the site and the wider area from which they are visible, and would seriously undermine the integrity and value of the TPO. He further concludes that it is the semi-natural arrangement and disposition through the centre of the site which represents the value which lead to the designation being made.

## Consultations and Representations

***Adur District Council:*** The tree is in reasonable condition although there is no central stem and the crown is distributed into two main sections making the tree less aesthetically pleasing. This tree cannot be seen from the road. Recommend the works of 50% crown reduction by removing one main stem be permitted.

***Lancing Parish Council:*** No comments.

***Third Parties:*** There have been no third party objections to the proposals.

**Relevant Planning Policies and Guidance**

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): CH4, DEV1
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AB23
Design Bulletin No.1 'Trees and Landscaping' (ADC 1996)
'Tree Preservation Orders: A Guide to the Law and Good Practice' (DETR 2000)

**Planning Assessment**

***Policies***
Local Plan policy AB23 states that Tree Preservation Orders will be made to safeguard existing trees in the District where their loss would have an adverse effect on the existing and future environment and its enjoyment by the public.

***Trees***
The application has been amended and re-advertised, and permission is now sought to reduce the crown of the tree by 50%, to enable the loss of one of the southern main stem of the tree.

The tree has a very wide crown due to the twin-stemmed main trunk. The crown of the tree is equally distributed between the two main trunks, the southernmost of which overhangs an summerhouse. The northern stem (to be retained) overhangs the surrounding garden and part of the neighbouring site to the west (Seaview). Jeremy Sergeant has viewed the tree and raises no objection to the amended plan to fell the southern of the two main stems, effectively reducing the size of the crown by 50%. It is not considered that these works will compromise its amenity value or the overall value of the group TPO.

The tree will remain in its current location (albeit at a reduced scale) and retain the semi-natural arrangement of trees across the TPO area.

**Recommendation**

APPROVE for reason that :-

Subject to: -

1. C1Ciii
2. C11M
3. The following works are hereby approved:
    a. T1 (Ash): Overall crown reduction of 50% by felling the southern main limb, and reduction in height of the remaining tree by up to 2m.

Reason: In the interests of amenity and to comply with policy AB23 of the ADLP and DEV1 of the WSSP.

Case Officer: [redacted]
Date: 27.04.09 PB 29/4