DELEGATED APPLICATIONS
ASSESSMENT SHEET

APPLICATION No. and SITE: WB/11/0083/TPO – The Drive, Mill Lane

DATE OF VISIT: 13th March 2011

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR CONSULTATIONS: N/A

PROPOSAL, SITE AND SURROUNDINGS

The site comprises a detached house, The Drive, Mill Lane served by a long driveway. It is situated on the west side of Mill Lane a short distance to the north of the junction of Woodland Avenue with Mill Lane.

The application relates to four protected trees: 2 Ash (T4 and T5), 1 Silver Birch (T8) and English Oak (T9) under the Worthing Tree Preservation Order No. 10 of 1991.

Consent is sought for the following works:-

Two Ash (T4 and T5): Pollard both trees by 3 metres and remove dead wood and weak branches.

Reason: To reduce dead end weight and to avoid dangerous breaks from branches in high winds.

Silver Birch (T8): Fell to ground level. Reason: Very poor specimen with rot in limbs and centre of crown.

It is proposed to replace this tree with another Silver Birch.

English Oak (T9): Crown-reduce by 1 metre on sides and top, using the drop crotching method, and remove dead wood and weak branches.

Reason: To allow the tree's natural shape to prevail whilst controlling its size.

RELEVANT PLANNING HISTORY

Tree Preservation Order No. 10 of 1991 confirmed on 24th June 1991

RELEVANT SAVED PLANNING POLICIES & NATIONAL PLANNING POLICY GUIDANCE

DETR: Tree Preservation Orders – A Guide to the Law and Good Practice (March 2000)
British Standard BS 3998 (2010) Recommendations for Tree Works

REPRESENTATIONS

The Borough Arboriculturist objects to the application in part but supports the removal of the Birch. He comments:

"These trees are prominent features on the skyline from Woodland Avenue. The reduction in height applied for is likely to damage the branch tracery and leave large diameter wounds. A lesser reduction by up to 2m to reduce height from the existing approx. 16m to leave a finished height of approx. 14m would be far less damaging. The Birch is in a poor condition but if felled should be replaced; a Field Maple may be a better species on the downs and would make a medium sized tree."

HUMAN RIGHTS

Article 8 of the First Protocol (Protection of Property) of the Human Rights Act 1998 is relevant to this application, It is accepted that this proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly, it is considered that it is acceptable with regard to Article 8 and Article 1.

PLANNING ASSESSMENT

The Silver Birch tree, T8 under the Tree Preservation Order, is in a poor condition due to natural causes. Its removal subject to the planting of a replacement tree of an appropriate species *in a similar position* on the site where it would be seen from Mill Lane, rather than elsewhere in the garden, is considered to be acceptable in principle in visual amenity terms.

As regards appropriate replanting, the Borough Arboriculturist advises that a Field Maple is a better species than a Birch for planting the Downs. .

Conditional consent should accordingly be granted for the felling of the poor specimen Silver Birch, subject to the provision of a suitable replacement in a similar position on the site, in accordance with details agreed in writing with the LPA and carried out within a period of one year from the date of consent. A Field Maple *(Acer camesptre)* is recommended.

Concerning the English Oak tree *(Quercus robur)* T9, this is a prominent, established feature of high public amenity value. The proposed reduction of this tree by one metre would slightly reduce the tree's overall spread and height, but by drop crotching, as proposed, would closely preserve the natural crown form, branch structure and appearance of the tree, without significantly reducing its prominence in the street scene, and as such would enhance its public amenity value for the future. These works are considered to be acceptable, subject to a condition restricting the works to these works only, unless otherwise agreed in writing with the LPA, as is the removal of dead wood and weak branches in the crown and the similar works to the two Ash trees, T4 and T5.

On the other hand, the proposed pollarding of the two Ash trees, T5 and T6, by 3 metres would remove a significant volume and extent of the natural crown of the trees, in terms of both their height and spread, which, on the advice of the Borough Arboriculturist, would be damaging to their branch tracery and would leave large diameter wounds at the pruning points. In view of the prominence of these established 'landmark' trees, which are of high public amenity value, these proposed reduction/pollarding works would be detrimental to the visual amenities of the area and are unacceptable. Refusal is accordingly recommended.

A Split Decision should be issued.

RECOMMENDATION

That a Split Decision be issued, as follows:

(A) Grant consent (i) to fell the Silver Birch, T6, subject to the planting of a suitable replacement (such as Field Maple) in accordance with details to be agreed in writing with the LPA; the felling to be carried out within 2 months from consent, and replanting before 31st December 2011.

(ii) to dead wood and crown reduce by 1 metre the English Oak, T9, subject to the works being restricted to reduction in height and spread by 1 metre, by drop crotching to a suitable side branch, and dead wooding of the two Ash trees, T4 and T5, carried out within one year from the date of consent

(B) Refuse the proposed pollarding of the two Ash trees, on the following grounds:

1. The proposed crown reduction and pollarding by 3 metres of the two protected established Ash trees, T4 and T5 under the Worthing Tree Preservation Order No.10 of 1991, would be damaging to the natural form, branch structure and crown tracery and the appearance and condition of these trees, which, in view of their prominence from the surrounding area and their high public amenity value would be detrimental to the visual amenities of the area.

REASON FOR THE RECOMMENDATION: N/A

IS THE RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION: Y/N

DELEGATED

Case Officer sign.....Date: 29th March 2011.....

Authorising Officer sign.....Date....1.4.11.....