expires 8/10

Development Control – Delegated Officer Report

Application Number: ADC/0337/09 **Recommendation – Permit Application**

Site: **14 Queens Place Shoreham-by-Sea West Sussex BN43 5AA**

Proposal: **Fell silver birch tree in rear garden (6 weeks prior notice of work to tree in Conservation Area)**

The Application

An application has been submitted, giving six weeks prior notice of the intention to fell a Silver Birch in the rear garden of 14 Queens Place, located within the Conservation Area.

The tree has been previously crown reduced by up to 30% in 2005 and by 50% in 2007.

Consultations and Representations

Consultations/Comments

Adur District Council: The Assistant Parks Manager has stated the tree is in reasonable health and has grown vigorously since the last work carried out in 2007. The request this time is to fell the tree on the grounds that it takes too much work to keep it small. In most circumstances this would not be acceptable; however in this case the tree is not contributing to the area as it is only visible from the backs of the surrounding homes. The request includes a proposal to replace the tree with a smaller species such as Betula Pendula Fastigiata, Dalecarlica or a weeping form, all of which produce a smaller tree.

Due to the trees location there would be little benefit in placing a TPO on it.

Adur District Conservation Advisory Group: Reluctant to agree with felling but this tree does appear to have been badly pollarded. Leave to officers to decide.

Third Parties: 1 letter received from the occupier of 15 Queens Place stating their full agreement to the proposal to fell the tree as it obscures light from their garden.

Relevant Planning Policies and Guidance

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 tree is located in the rear garden of 14 Queens Place and is not visible from the street. As such, it has limited amenity value. Its roots are lifting the paving and damaging the garden wall while the tree itself is blocking light to a neighbour's garden. The applicants propose to replace the tree with a young silver birch sited further from the boundary wall.

In view of its position at the rear of the dwelling, there is no objection to its felling.

Recommendation

Do not make TPO.

Case Officer: [redacted]
Date: 22/9/09 [redacted] 22/9