expires 15/10

Development Control – Delegated Officer Report

Application Number: ADC/0348/09 Recommendation - Permit

Site: **St Johns Court John Street Shoreham-by-Sea West Sussex**

Proposal: **Removal of branch on west side and crown reduction of remainder of willow tree by 25% (6 weeks prior notification of work to tree in Conservation Area)**

The Application

A section 211 notification has been submitted, giving six weeks prior notice of the intention to reduce the height and number of main branches of a willow tree located on the north side of the communal gardens, adjacent to the wall with No.11 John Street.

The tree itself has three main vertical limbs. The proposed work is to remove the two outer limbs and reduce the crown of the central remaining limb. The reason behind the works is to improve the light to their neighbours garden, and to reduce the quantity of autumn to both their gardens.

St. John's Court is a former church, converted into 12 residential units which have use of the rear garden which fronts onto Ship Street, directly opposite Ship Street car park.

Consultations and Representations

Adur District Council: The Assistant Parks Manager states that the tree is approximately 20 years old and stands 6-7 metres in height. He feels that it is in reasonable condition with no obvious signs of damage or decay. The tree splits into two main trunks at just above ground level, with these trunks being at almost 90 degrees to each other, giving the appearance of two trees.

He does feel that the proposed works would potentially compromise the future stability of the tree, and therefore recommends that the west limb only should be removed and the east and centre limbs should be reduced by 25%.

Adur District conservation Advisory Group: To be left for the Parks Officer to decide.

Third Parties: There have been three letters in support of the proposed work. The owners of No. 9 John Street feel that the roots are very close to their services and boundary wall; that the tree is large and overpowering and cuts out light and sun; the tree results in their own garden requiring excessive maintenance due to tree debris.

The owner of No.11 John Street feels due to the proximity to their boundary that their garden is in shadow and that they would greatly appreciate the works.
The owners of Flat 6 St. Johns Court fully supports the application for works to the tree and feels that their light will be increased as a result.

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 itself is of an unusual appearance given the three separate main stems and all growth being limited to the top part of the branches. The main trunks are ivy covered and do not contribute positively to the appearance of the tree.

The tree is located to the rear of St.Johns Court where it can be seen from areas of Ship Street. The proposals are to greatly reduce the overall size of the tree, however negotiation between the Parks Officer and the applicants arboriculturalist have reduced the overall scale of works, to which the applicant has agreed.

The tree is isolated from other trees which are present within the area, and seen in views only from the north. Views of the tree and immediate surroundings are obscured from areas to the south due to the overall height of the former church (St. Johns Court).

As described above the tree is unusual in appearance and it is not considered that the form and overall shape/height of the tree are such that the scale of works (as amended) would be so significant to warrant a TPO being made in this case.

Recommendation

Do not make TPO.

PB 5/10/09

[redacted]

05·10·09