Application Number: ADC/0533/07 Recommendation – APPROVE

Site: 21 John Street, Shoreham-by-Sea BN43 5DL

Proposal: Fell to ground level 2 cypress trees at rear of communal car park (subject to TPO)

The Application

This application relates to two Cypress trees located next to the 2 metre high flint wall on the Ship Street boundary.

The application seeks to fell both trees on the basis that they are dead, dying and dangerous.

There were previously 3 cypress trees sited side-by-side, the 2 northern ones being subject to TPO 13.53/7/97/SU. Approval was granted in 1997 (SU/143/97) for the removal of the central tree plus the southern one not subject to TPO. A fresh TPO (13.53/8/01/SU) was made in 2001 in respect of the two remaining trees.

Consultations and Representations

Director of Services: The Assistant Parks Manager states that the trees are clearly in decline with signs of decay at the base. No works could be carried out to improve the trees. They could theoretically stand for another ten years but their amenity value would be lost.

Adur District Conservation Advisory Group: No objection, subject to the replacement of the trees with a comparable species.

Third Parties: 2 letters of objection and a petition with 81 signatures have been received. The letters are from No's 1 & 5 White Lion Court, Ship Street but the signatories to the petition are from all over Shoreham and beyond. They state that they object strongly on grounds of loss of too many trees affecting the environment and wildlife. No.1 states that, whilst it would be nice to see the dead bits trimmed from the trees, it would be totally wrong to fell them as they provide some 'green' in the town as well as sustaining wildlife and bird habitat.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005): CH4, DEV1
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AB4, AB24
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

Policy AB24 of the Local Plan states:-

"The District Planning Authority will not normally grant consent for the felling, uprooting or extensive lopping or topping of any tree subject to a TPO. In the exceptional circumstances where consent for felling is granted, this will be subject to an appropriate and acceptable replacement tree being planted."

Visual amenity

These two large trees together form a very prominent and long-established feature visible throughout the entire length of Ship Street. From John Street T2, the southern tree, is clearly visible through the gap between No's 17 and 21.

The topmost section of the southern tree T2 was removed following an appeal (SU/183/02) due to concerns about its stability. Its height was reduced to approximately 8 metres and it now has a somewhat flat and unusual form. Nevertheless, it still remains a significant streetscape feature contributing to the character of the Conservation Area and it shows signs of foliage growth.

The northern tree T1 has been deadwooded and cut back following previous applications in 2002 and 1997. Although it is a taller tree than T2, it has a much worse appearance because of severe recent die back, with only limited amounts of green foliage apparent. It is considered to have deteriorated to such a degree whereby it is detrimental to the appearance of the Conservation Area.

Tree Condition

T1: This northernmost tree, as mentioned, looks to be in extremely poor health with a severe browning of its foliage throughout most of its crown. At the base there is evidence that the lean towards the car ports is becoming more pronounced with the bark appearing to buckle and crack on the north east side. The Council's Assistant Parks Manager has reported signs of decay in the base and the possibility of branch shedding occurring in the future. Although the tree could theoretically stand for another 10 years it is considered that its retention is inappropriate as little would be left if all the branches with dead foliage were removed.

T2: This tree retains the majority of its green foliage with evidence of recent growth and, despite its unusual form, gives the appearance of being in much healthier condition. Examining the base reveals significant scarring where earlier sections fell during the 1987 storms. The Assistant Parks Manager reports this tree to be potentially structurally unsound due to the scarring and decay elsewhere in the base, and states that the remaining bulk is supported by less than 50 percent of the trunk. This tree could remain for many more

years, particularly as these problems have not significantly worsened since they were first reported back in 1997. The reduction of height authorised in 2002 has helped to stabilise the tree and extend its lifespan. The tree has withstood the last ten years and has shown signs of re-growth in the crown since the top was removed in 2002.

Conclusion

T1 has already become of little or no amenity value because of severe die back and it is considered that it can only deteriorate further in amenity value and become a risk to safety. It should therefore be felled and replaced with a tree of agreed species and size.

T2, despite its weaknesses, is more healthy and continues to be of significant amenity value. It should therefore be retained. It is not considered that the basal scarring of T2 is any worse than previous whilst the structure itself is balanced.

Recommendation

APPROVE subject to:-

1. C1Ciii (Standard TPO time limit)
2. Notwithstanding that the application seeks to fell both cypress trees, the consent hereby granted relates solely to the felling of the northernmost tree (T1) and the southernmost tree (T2) shall be retained.
3. C11H (Replacement tree for T1 to be planted)

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