DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION No./ADDRESS

WB/10/0138/TPO – 18 Gorse Avenue

DATE INSPECTED

4th March 2010

THE PROPOSAL AND THE SITE

The application relates to a protected Beech tree, T1 under the Worthing Tree Preservation Order No. 44 of 1997, in the rear garden of No. 18 Gorse Avenue, a semi-detached house. The application has been made by the owner occupier of No. 12 Offington Court, the adjoining detached bungalow to the East.

Consent is sought to carry out the following pruning works to the tree:

(i) Remove dead wood;

(ii) Reduce the two highest branches, to recover shape of the tree;

(iii) Reduce branches over the garden of 12 Offington Court by an average of 1 metre;

(iv) Crown lift to 4 metres; and

(v) Crown thin cluttered parts of the crown by 10%.

The reasons are 'visual amenity and [in the interests of] the health of the trees.'

RELEVANT PLANNING HISTORY

Tree Preservation Order No. 44 of 1997 confirmed on 15th December 1997

CONSULTATIONS

The Borough Arboriculturist supports the application as made.

REPRESENTATIONS

None

HUMAN RIGHTS

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development involved 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 in relation to Article 8 and Article 1 respectively.

RELEVANT PLANNING POLICIES and GOVERNMENT GUIDANCE

Tree Preservation Orders – A Guide to the Law and Good Practice (March 2000)
British Standard BS 3998 (1989) *"Recommendations for Tree Works."*

PLANNING ASSESSMENT

The Beech tree is a prominent feature from Offington Court, to the east of the site. It has a rather uneven shape.

The proposed remedial works would improve the shape and appearance of the tree, whilst slightly reducing its spread towards 12 Offington Court, and evenly all round and also in height and density, and cleaning out.

These tree works would enhance the visual amenities of the area and are considered acceptable.

RECOMMENDATION

Grant consent, subject to:

1. Restrict works
2. Time limit – 2 years

RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION? Yes/No

DELEGATED

Case Officer Sign..../ March 2010

Authorising Officer Sig 29.3.10