03.11.09

Development Control – Delegated Officer Report

Application Number: ADC/0375/09 Recommendation - Permit

Site: 47 New Road Shoreham-by-Sea West Sussex BN43 6RB

Proposal: Felling of Leylandii tree in front garden (6 weeks prior notification of works to tree in Conservation Area)

The Application

A section 211 notice has been submitted, giving six weeks prior notice of the intention to fell a Cupressus Macrocarpa (Monterey Cypress) in the front garden of No.47 New Road, Shoreham, located within the Conservation Area.

The tree appears to have had a substantial crown reduction at some stage in the past.

Consultations and Representations

Adur District Council: The Assistant Parks Manager has advised that despite the tree being a more significant species than a normal Leylandii it is not in a suitable position for its species. Due to the tree being a conifer it is not possible to control its size, and the small area of garden does not allow for the tree to develop naturally. He recommends the felling of the tree be permitted.

Adur district Conservation Advisory Group: No objection.

Third Parties: There has been one letter of support for the application to fell the tree. The owner of the adjacent dwelling (No.49) states that they would be very please to see the tree felled as it overhangs their garden creating a mess from needles; it kills plants and shrubs planted under it; it wipes out any benefit from the street light; and in their opinion is neither use nor ornament.

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 a prominent position within the streetscene, where there is a residential character with some dwellings have quite established front gardens.

Despite the tree having a prominent position it is not a species that would usually warrant a TPO, and it does not contribute to the streetscene in such a significant manner that would warrant it being specifically protected. The location of the tree does result in the branches ~~from~~ having a detrimental effect on the light omitted from the street light directly adjacent to it, and if left to continue to grow may have an effect on its stability.

In view of the cramped location of the tree and the poor quality specimen, it is considered that a TPO should not be made in this case and that the tree can be felled.

Recommendation

Do not make a TPO.

Case Officer: [redacted] DB 23/10/09

Date: 23.10.09