expires 11/11

Development Control – Delegated Officer Report

Application Number: ADC/0359/09 **Recommendation – Refuse Application**

Site: **8 Tarmount Lane Shoreham-by-Sea West Sussex BN43 6DA**

Proposal: **Felling of Cherry tree at front (6 weeks prior notice of works to tree in Conservation Area)**

The Application

An application has been submitted, giving six weeks prior notice of the intention to fell a Cherry at the front of 8 Tarmount Lane, located within the Conservation Area.

The tree is close to the front of the building (which is currently being use as a bathroom studio) and its branches are touching the roof. The trunk and roots of the tree are also damaging a low wall alongside the entrance path.

Consultations and Representations

Consultations/Comments

Adur District Council: The Assistant Parks Manager has stated that the tree is in reasonable condition with a healthy vigorously growing crown. The main trunk has gum flowing out of various cracks and splits in the bark. This is common in cherries and has no effect on the main crown of the tree. Likewise the blown areas of bark at the base of the tree have calloused over and are not a concern. The crown will need to be cut back from the building and reduced overall to balance by up to 30%. It is recommended that a TPO is placed on this tree if there is dispute about felling. If there is concern about tree roots and foundations, some evidence of damage will need to be supplied. Also there is a small block of walling that is starting to lean over. This can either be rebuilt with sufficient space for the tree or simply removed. Recommend felling works are not permitted.

Adur District Conservation Advisory Group: Retain cherry tree but allow a crown reduction of 30%

Third Parties: 1 letter received from the occupier of an unspecified address in Park Way Close, Southwick objecting to the felling of the tree. It is a beautiful

specimen when in bloom and provides much-needed haven for wildlife as well as helping against pollution.

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 at the front of 8 Tarmount Lane and is considered to have an important amenity value in the street scene and Conservation Area. While it is growing closely to the front of the building, the Assistant Parks Manager considers that a 30% crown reduction would be sufficient to cut it back from the building without needing to fell it. The damage to the wall is noted, but the section of wall that is cracking is on the return along the side of the entrance path and is not the main front boundary wall. Consequently, this part of the wall could be removed and not need to be replaced.

There are therefore not considered to be any valid reasons to agree to the felling of the tree. An emergency TPO has been made on the tree and the last date for receipt of any objections to the provisional Order is 8 December.

Recommendation

That the felling of the tree is not permitted and the Cherry is protected by a TPO.

Case Office [redacted]
Date: 3/11/09