Development Management – Delegated Officer Report **Date; 31/05/23**

Application Number	**AWDM/0305/23**
Address	**Glebe House Upper West Lane Lancing West Sussex BN15 0EX**
Proposal	**Section 211 Notice under the Town and Country Planning Act 1990 to fell and replace one Yew tree in the North Lancing Conservation Area.**

Date of site visit: 23/03/23

Neighbours checked: Y
Additional neighbour notifications: N
Site notice: (wider publicity / conservation area): Y

Proposal, Site and Surroundings

The application refers to a small to medium sized early mature Yew located near the southwest corner of the front garden. The tree is a part of the street scene and makes a contribution to the character and visual amenities of the North Lancing Conservation Area.

Consent is sought to fell and replace the tree.

The reasons for the works are primarily in the interests of safety, and amenity value.

Consultations: Letters sent to ACAAG - Adur Conservation Area Advice Group and Lancing Parish Council who both deferred the decision to Adur District Councils tree Officer.

Representations: Two representations received from nearby neighbours, both in objection. The objectors each state that the original application had named the wrong species of tree and considered the sketch plan to be unclear. Also concerns that removal of the Yew tree may cause damage to the wall and other unprotected plants, and concerns regarding the location of the replacement tree.

Relevant Planning History

1975: The North Lancing Conservation Area designated under section 277 of the Town and Country Planning Act 1971, As Amended by the Town and Country Amenities Act 1974, by the Adur District Council on the 28th July 1975.

2015: Section 211 Notice under the Town and Country Planning Act 1990 to Fell and replace one Willow tree in the North Lancing Conservation Area.

2019: Section 211 Notice under the Town and Country Planning Act 1990 to trim back by up to 2m on southern side over boundary with 2 Grantsmead T1 Conifer tree.
2019: Section 211 Notice under the Town and Country Planning Act 1990 to fell and replace one Nispero tree in the North Lancing.

Planning Assessment
The tree is a small early mature growing in the front garden adjacent to the West boundary wall, in the Southwest corner of the front garden. The tree is part of the area, and can be seen from some public views.

The tree has a single stem to 2 metres, with several small upright and ascending limbs that emerge from ground level. The main central stem persists to 4 metres, where it then divides into several stems that merge with the lower limbs forming a wide flat array. The main crown is dense and wide spread with some slightly over extended laterals. The base of the tree is growing directly adjacent to the tall flint wall, which has previously extended in height with block work rather than flint, and some cracks are apparent.

The proposed works are to fell and replace the tree due to its proximity to the front garden wall.

These works in my opinion will be large in relation to the overall number of trees and a significant amount of change will take place. However the effect on the Conservation Area will be compensated with the provision of a replacement tree.

Recommendation

Grant Consent, Not subject to Conditions:

Is recommendation contrary to letter(s) of representation?

Yes, the two objections both claim the sketch plan and information are unclear. The species of tree has been corrected and the plan does clearly show its position in relation to Upper West Lane and the main building. Other objections are that the removal of the tree will damage the wall and the adjacent plants (Wisteria). Removing the tree to ground level will not make the wall safe and other works to repair damage will still be required. However the proximity of the tree would make works such as fitting a lintel unfeasible. With regard to the nearby Wisteria, the scope of consent is limited to the tree in question, and the Local Planning Authority cannot refuse consent based on possible effect on other plants that are not covered by the Conservation Area status.

Case Officer: JDS Date: 31/05/2023

Authorised by: PB Date: 5/6/23