expires 19/10

Development Control – Delegated Officer Report

Application Number: ADC/0332/09 **Recommendation – Permit Application**

Site: **Oxen Court Oxen Avenue Shoreham-by-Sea West Sussex**

Proposal: **Re-pollarding of 8 lime trees (subject to TPO 13.53/4/94/SU)**

The Application

The application relates to a line of 8 lime trees which run across the frontage of Oxen Court, a residential development on the east side of Oxen Avenue. The trees are subject to a group TPO (13.53/4/94 (SU)) which includes a number of other trees in the vicinity. They have been previously pollarded on a regular basis and this application seeks consent to re-pollard them.

Consultations and Representations

Consultations/Comments

Adur District Council: The Assistant Parks Manager has stated that the trees are in reasonable condition and, although they all have many cavities and defects, they do not appear to be unsound. He recommends that the works be permitted. He has also referred to an Elm at the end of the line of lime trees which is growing about 2 meters from the building. This tree is not included within the TPO and does not require consent for any proposed works.

Third Parties

1 letter received from the occupier of 9 Oxen Court objecting to the work. They state that the trees are very attractive and help screen the properties from the road and traffic noise. The people who live in Oxen Court knew the trees were there when they moved in so they should not complain about them. The trees have been cut back before and grow back so do not waste time or money doing the work. She wishes for the trees to stay as they are.

1 letter received from the occupier of 3 Oxen Court supporting the application. They state that they are pleased that their house will get some light again. The trees are ugly, their leaves get diseased and it is depressing to look at them.

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 trees are all quite close to the front of the flats in Oxen Court and are blocking light and outlook. While they have important amenity value and do help to screen the flats from the road, the proposed pollarding work is considered to be necessary in order to control their growth and spread. The trees have been previously pollarded without detriment to their health or appearance and it is recommended that the works be permitted.

Recommendation

APPROVE

Subject to: -

1. C1Ciii
2. C11M
3. The following works are hereby approved:
    a. T7-14 inclusive: Pollard back to original points and clear stems if required
    Reason: In the interests of amenity and to comply with policy AB23 of the Adur District Local Plan

Case Officer [redacted] Date 28/9/09

Planning Services Manager [redacted] Date 28/9/09

Chair of DC Committee [redacted] Date 1/10/09