Development Management - Delegated Officer Report

Application Number: AWDM/0776/11 **Recommendation – Permit**

Site: **Miller and Carter, Lancing, West Sussex BN156 0EY**

Proposal: **Works to sycamore x1, holm oak x2, and elder (6 weeks prior notice of works to trees in Conservation Area)**

Date of site visit: 07.10.11

Neighbours checked: Y

Additional neighbour notifications: N

Proposal
The trees are growing in a triangle of land on the west side of the main Miller and Carter restaurant, on the south side of the car park, between the adjacent residential site No.146 First Avenue.

The area of land on which the application trees are growing is heavily wooded with other specimens, most notably a line of tall conifers on the southernmost boundary within the grounds of No.146.

From west to east there are: a multi-stemmed sycamore sapling approximately 4m in height adjacent to some panelled fencing on the western side of the carpark (T1); a small Holm Oak growing next to a Bay on the southern carpark boundary (T2); an Elder growing adjacent to , and overhanging the carpark (T3); a split Holm Oak approximately 6-8m in height (T4) half of which is resting on the elder.

[Three sycamore trees on the eastern boundary (T5, T6, T7) were originally part of the s.211 notice, although growing outside of the boundary of the conservation area. It was intended to have the ivy growing on them severed 1m from ground level. West Sussex County Council have since felled the trees due to the physical impact on the boundary wall of the site which was starting to show signs of cracking. Whilst this is unfortunate, because the trees were outside the conservation area 6 weeks notice would not have been required.]

Permission is sought to fell T1, T2, T3, & T4.

Consultations and Representations

Adur District Council: The Assistant Parks Manager states that T1 is a small group of saplings 2-3 years old approximately 5m in height which are just weed clearance. T2 is a relatively small young Holm Oak 10-15 years of age and 6-8m in height, slightly further back behind a Bay tree. The tree is felt good enough to keep. T3 is an elder 5 years old and 10m in height which is of no importance. T4 is a large Holm Oak which is multi-stemmed at about 1m

with 10+ stems extending to 14m in height. The tree is divided by a split and is far too damaged to be retained.

Third Parties: There have been two letters of objection received.

The owner of 6 Fircroft Avenue states that they feel taking more trees away for development in such a picturesque area/road is a step in the wrong direction.

The owner of 17 Manor Road states that these trees have been here long before Miller and carter were even thought of. There is nothing wrong with them and to think of them being felled just for commerce is diabolical. They object in the strongest possible terms to anything being done to them.

Relevant Planning Policies
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, 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
Policy AB23 of the Local Plan state that the Council will make tree Preservation Orders to safeguard existing trees where their loss would have an adverse effect on the existing and future environment and its enjoyment by the public, and all trees will be considered potentially for such Orders unless they are of poor health or appearance, but priority will be given to trees which appear to be under threat and which make a significant contribution to the visual quality and character of a locality.

Affect on the Conservation Area Trees
The site is dominated by a very large TPO Holm Oak located in the centre of the main east side car park. To the south of the carpark the triangle of land is heavily wooded with trees and shrubs of mixed heights. The overall impression of the southern boundary to the car park is of a green screen 5m in height.

The sycamores did aid the screening of the site from the east and south. The loss of the three sycamore trees has resulted in the site being more open as viewed from the NE, however there is substantial maturity in the trees that are not subject to this notice in the southern side of the site which protect views from the south in First Avenue.

The loss of the Holm Oak (T4) is regrettable, due to its height at 8m, however the split is deep and has resulted in the tree being separated into two. The rear half leans to the west and has an unbalanced appearance, and the north half leans at an acute angle over the car park resting on the elder. The Elder is multi-stemmed and does not have a particularly attractive form. It is not worthy of a TPO in its own right.

The smaller of the Holm Oaks, again is growing adjacent to another tree (Bay), and is probably self seeded from the main TPO tree in the car park. It is not of a size that would warrant a TPO in its own right, particularly given the amount of taller trees, to the south which screen the oak from all but views from the carpark. The Assistant Parks Manager has recommended that the tree be retained, however the applicant is proposing to undertake works to repair a drain (due as a result of the nearby tree roots) in the vicinity that would impact the root system. It is not considered that in this case the smaller of the two Holm Oaks would warrant a TPO in this case.

The sycamore saplings (T1) have the appearance of a bush and make the car park untidy more than adding to the appearance of the conservation area.

Recommendation

Do not make a TPO

Is recommendation contrary to letter(s) of representation? Yes

Case Officer: Carlos Hone Date: 24.11.11

Authorised by: Date: 28/11/11