Development Management – Delegated Officer Report **Date; 01/02/17**

Application Number **AWDM/1870/16**

Site Address: **8 Fairview Road Lancing**

Proposal: **Application for consent under Adur Tree Preservation Order 2009 13.53/09(L) to fell one Plum (T9) and one Laburnum (T10) in back garden, close to western boundary**

Date of site visit: 31/01/17

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

Proposal, Site and Surroundings

The application refers to two small trees in the rear garden, adjacent to the western boundary. The trees are part of a larger group set back behind the houses which have an intrinsic scenic value but are visible from the street in between the houses and on the higher land behind as a backdrop. As such they make a contribution to the character and visual amenities of the area.

Consent is sought to fell and replace both trees.

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

Consultations: Consultation letters sent to Lancing Parish Council. The Committee RESOLVED to object to planning application AWDM/1870/16 on the grounds that there was insufficient evidence provided for the reason for removal and inadequate details in respect of the proposed replacement trees. Details of the tree condition were established at the site visit, and a condition of replacing the trees is attached as part of the consent conditions.

Representations: One received from the direct neighbour who was unconcerned regarding the Plum tree but wished to retain part of the Laburnum on his side of the Boundary Hedge. As the Laburnum tree is compromised it will need to be felled, however it is between neighbours to decide if the remaining stump is removed or allowed to re-grow.

Relevant Planning History

2009: Adur Tree Preservation order Number 13.53/09(L) of 2009 confirmed on 05/01/10.

2016: Enforcement enquiry concerning Works to preserved trees - Pending Consideration

Planning Assessment

The trees are two small early matures growing in the rear garden adjacent to the western boundary, towards the southern end of the steeply sloped rear garden. The trees are a part of the area making a limited contribution to the street scene due to their size and location.
The trees are;

Plum T9
The Plum tree is multi- stemmed from ground level with several slender mostly upright stems, which divide several times to the top of the relatively low crown. The tree has reasonable unions but does support a certain amount of deadwood, and a heavy incursion of Ivy.

The proposed works are to fell and replace the tree. The works are to provide a more suitable specimen tree.

Laburnum T10
The Laburnum tree is also multi- stemmed from ground level, with all the main stems emerging from the base at above ground level. The mostly slender stems angle over towards the east, some over arching into the lower part of the rear garden. The bases of the stems have a damaged / weak union which is compromised to support a heavily leaning tree.

The proposed works are to fell and replace the tree due to poor condition.

The loss of two trees is regrettable. However, further information has been received to support the proposal and it is recognised that the trees are not it the best of condition. The visual impact on the area will not be so detrimental as to be unacceptable, given their location and the many other trees nearby, especially as replacements may be secured.

Recommendation

Grant Consent, subject to the following Conditions:

1. Proposed felling of the trees T9 and T10, identified on the applicants plan as Laburnum T1, and Plum T2 and their replacements shall be carried out in full within two years from the date of this consent and in accordance with details of the size species and position of the replacement tree planting to be agreed in writing with the Local Planning Authority.

   Reason: *In the interest of visual amenity.*

2. If within five years following replanting, any of the replacement trees die or become seriously diseased, another tree of the same size and species shall be planted in a similar position during the next planting season following the removal of the replaced tree, unless the Local Planning Authority gives written approval to any variation.

   Reason: *In the interest of visual amenity.*

Is recommendation contrary to letter(s) of representation?
Yes Lancing Parish Council object on the grounds of lack of information regarding tree condition and replacements. Also one objection from neighbour who wished to retain or allow re-growth of the Lanburnum tree. Both of these issues have been resolved by site visits and conditions.

Case Officer: JDS Date: 28/02/2017

Authorised by: PD Date: 7.4.17