Development Management – Delegated Officer Report **Date; 22/02/24**

Application Number	**AWDM/0065/24**
Address	**The Walled Garden 21 Middle Street Shoreham-by-Sea West Sussex BN43 5DP**
Proposal	**Section 211 Notice under the Town and Country Planning Act 1990 to fell and replace one Silver Birch tree T1 in the Shoreham Conservation Area.**

Date of site visit: 07/02/24

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

Proposal, Site and Surroundings

The site is a large detached house located on the west side of Middle Street, Shoreham and within the Shoreham Conservation Area. The property sits on a large plot with private gardens surrounded by 2.5 metre high flint walling and numerous trees, many of which are subject to TPO 162/2/70(SU). The application refers to a tall early mature Silver Birch tree located in a small border in front of the main building in the front garden. The tree is a prominent part of the street scene and makes a contribution to the character and visual amenities of the Shoreham Conservation Area.

Consent is sought to fell and replace the tree.

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

Consultations: None.

Representations: None received.

Relevant Planning History

1970: Adur Tree Preservation order Number No.162/2/70 (SU) of 1970 confirmed.

1971: Extension to Shoreham-by-Sea Conservation Area designated under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 by the Adur District Council ON 23rd November 1993. ***this charge includes properties within the previously made Shoreham Conservation Area designated May 1971.

2007: Fell 2 elder trees, pollard row of ash, sycamore and chestnut trees along E boundary, raise canopy of lime over road, cut back privet and hazel, and remove overhang of pollarded trees on S side (TPO 162/2/70 SU)

2009: Removal of lower limbs of Field Maple (No.27) and cutting back of Willow (No.21) to boundary (6 weeks prior notification of works to trees in Conservation Area)

2011: Various works to 12 trees in Conservation Area and subject to TPO 162/2/70 (SU)

2016: Section 211 Notice under the Town and Country Planning Act 1990 to fell one Ash tree in the Shoreham Conservation Area.

2016: Section 211 Notice under the Town and Country Planning Act 1990 to crown lift up to 6 metres two Macrocarpa trees T20 and T21, to reduce crown height by up to 4 metres one Silver Birch T22 and one Laburnum T23, reduce crown height by up to two metres one Yew T24 and one Catalpa T30, to re-pollard one Ash tree T31, prune for fruit production one Fig tree T29 and to fell four trees: two Silver Birch T25 and T26, one Goat Willow T27 and one Ash T28 in the Shoreham Conservation Area.

2017: Section 211 Notice under the Town and Country Planning Act 1990 to reduce radial spread by up to 2.5 metres one Liquidambar tree in the Shoreham Conservation Area.

2019: Section 211 Notice under the Town and Country Planning Act 1990 to remove or reduce broken branches on one Holly tree T3, to reduce radial spread by 1.5m one Norway Maple T2 and reduce radial spread by 75cm one Yew tree T1 in the Shoreham Conservation Area.

2023: Section 211 Notice under the Town and Country Planning Act 1990 to reduce radial spread by up to 2 to 3 metres Ash T1; reduce radial spread by up to 1 to 2 metres Sycamore T10, Cherry T13; reduce crown height and radial spread by up to 1 to 2 metres Mimosa tree T12; remove lowest east limb one Silver Birch T11; reduce radial spread to south 2 metres and back to boundary to north Fig tree T14; to reduce radial spread by up to 1 metre of group of mixed trees T16; reduce crown height by up to 1 metre of mixed group of trees T17; to remove deadwood from Liquidambar tree T7 and to fell and replace Silver Birch tree T15 in the Shoreham Conservation Area.

2023: Application for consent under Adur Tree Preservation Order No.162/2/70 (SU) of 1970 to reduce radial spread by up to 2 metres, one Holm Oak tree T18.

2023: Application for consent under Adur Tree Preservation Order No.162/2/70 (SU) of 1970 to reduce radial spread by up to 3 to 4 metres three Sycamore trees T3, T5 and T9; reduce radial spread by up to 2 to 3 metres Lime tree T7; reduce crown height by up to 1 to 2 metres one Holm Oak T18 and to re-pollard to previous points Horse Chestnut tree T8.

Planning Assessment

The tree is a medium sized tall early mature Silver Birch growing in the front garden between the entrance driveway and the northern side of the main building. The tree is prominent to the area, and can be seen from many views.

The tree has a single stem to 4 metres, where it then divides into three main slender upright scaffold stems, that each divide again from 8 to 10 metres. The first significant laterals emerge from 9 metres. The main crown is high and mostly compact, with some slightly wider laterals to the North.

The proposed works are to fell and replace the tree, due to its proximity to the building, concerns regarding pest (Squirrels) and the blocking of the upper floor window. Although most of these concerns could be alleviated by selective pruning, the location of the tree within 1 metre of the main building and directly in front of a window, and the species of tree, would prevent a Tree Preservation Order from being considered. Therefore consent to fell and replace is recommended.

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 Shoreham 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?

No

Case Officer: JDS Date: 22/02/2024

Authorised by: PB Date: 22/2/24