**Development Management – Delegated Officer Report** **Date; 29/12/23**

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| **Application Number** | **AWDM/1245/23** |
| **Address** | **The Walled Garden 21 Middle Street Shoreham-by-Sea West Sussex BN43 5DP** |
| **Proposal** | **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.** |

**Date of site visit:** 24/11/23

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

**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 six large mature trees, five located along the Eastern boundary wall adjacent to the pavement of Middle Street, and one in the Southwest corner of the rear garden. The trees are a prominent part of the street scene and make a significant contribution to the character and visual amenities of the Shoreham Conservation Area.

Consent is sought to reduce radial spread Sycamore trees T3, T5 T9 and Lime tree T7, reduce crown height one Holm Oak T18 and to re-pollard to previous points Horse Chestnut tree T8.

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

**Consultations:** Letter sent to ACAAG - Adur Conservation Area Advice Group who did not respond.

**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.

**Planning Assessment**

The trees are three large mature Sycamore, one lime and one Horse Chestnut, growing along the Eastern boundary of the front side and rear gardens, and one older overmature Holm Oak in the southwest of the rear garden. The trees are prominent to the area, and can be seen from many views. The trees are:

<u>Sycamore trees T3 T5 T9 and Horse Chestnut T8</u>
These trees are in a linear group running from close to the vehicular entrance from Middle Street to the North, down to the Southeast corner of the rear garden. The Sycamore and Horse Chestnut trees are all single stemmed to 2.5 to 3 metres where they divide and each have established pollard points from 4 metres. The main crown are dense and wide spread with some slightly over extended laterals.

The proposed works to reduce radial spread by up to 3 to 4 metres three Sycamore trees T3, T5 and T9, and to re-pollard to previous points Horse Chestnut tree T8, had already been carried out at the time of the site visit. The works, which would have been given consent, are to contain the spread of the Sycamore trees and to continue with previous management of the Horse Chestnut.

These works are to contain the size and spread of the tree crown, abate nuisance allow access beneath and allow more light and air to pass through the crown.

Lime tree T7
This tree has a single stem to 3 to 4 metres where the crown breaks. Unlike the Sycamore and Horse Chestnut tree the Lime T7 has a more conventional crown on an overall taller tree. The main crown is dense and wide spread.

The proposed works to reduce radial spread by up to 2 to 3 metres had already been carried out and again would have been given consent.

Holm Oak T18
The Holm Oak tree T8 is located in the Southwest corner of the rear garden and consists of several stems, some original and some re-generations. The original tree would have been veteran when the TPO was made and some collapsed stems from the tree have re-grown to the north, with some large diameter stems emerging from what would have been the base of the veteran tree. This has created a cluster of new and old stems. The stems have grown to form a combined crown that is flat topped and widely overhangs the neighbouring garden. The main crown is dense and wide spread with some slightly over extended laterals to the West.

The proposed works are to reduce crown height by up to 1 to 2 metres one Holm Oak T18. Consent is also given under application AWDM/1236/23 to reduce radial spread to the West by up to 2 metres. The works are to contain the size and spread of the tree, allow access beneath and allow more light and air to pass over the crown.

These works in my opinion would be relatively minor in relation to the overall size, spread and crown form of the trees and would not significantly or adversely affect their appearance, amenity value, or contribution to the character of the Shoreham Conservation Area.

**Recommendation**

**APPROVE**

**Grant Consent, subject to the following Conditions:**

1. Approved plans

2. The proposed works, hereby permitted, shall be restricted to those specified in the application only unless otherwise agreed in writing with the Local Planning Authority and carried out within two years from the date of consent and in accordance with the British Standard BS 3998: 2010 Tree Work.

   **Reason:** *In the interest of visual amenity.*

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

No

Case Officer: JDS Date: 29/12/2023

Authorised by: PB Date: 3/1/24