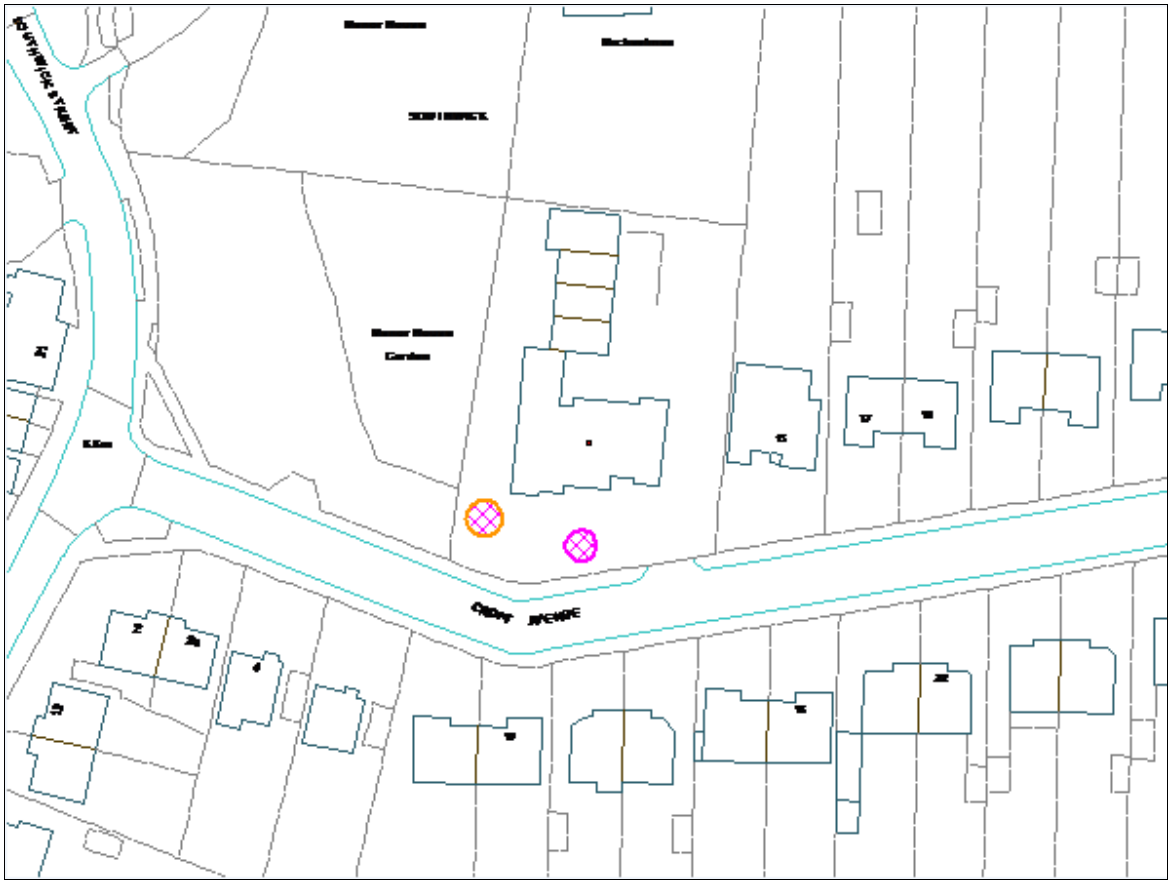
Application Number: AWDM/1497/15 **Recommendation – Refuse**

Site: **2 Amelia Close Southwick West Sussex**

Proposal: **Application for consent under Adur Tree Preservation Order No. TPO 13.53-2-15(SW) of 2015 to fell and replace one tree Holm Oak tree T2 and one Sycamore tree T4.**

Case Officer: Jeremy Sergeant Ward: Eastbrook Ward



Not to Scale

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Proposal, Site and Surroundings

On the 25 September 2015 the Tree Preservation Order 13.53-2-15(SW) of 2015 was placed on three Holm Oak tree and two Sycamore trees at Amelia Close and the Grounds South of Flats 1-9 Amelia Close Southwick.

The order refers to one Holm Oak tree in the rear garden of 11 Amelia Close, and two Holm Oaks trees and two Sycamore trees in the Grounds to the South of Flats 1-9

Amelia Close Southwick. The order was made in response to requests to fell or reduce the Holm Oak tree in the rear garden of 11 Amelia Close, which was previously protected by the Planning Consent for this development.

This application refers to one Holm Oak and one Sycamore tree in the frontage of the block of flats of Amelia Close Southwick. The trees are part of an established group of trees, which are part of in the street scene and make a contribution to the character and visual amenities of the area and the nearby Southwick Conservation Area. The trees are visible from many views around Southwick Street, Croft Avenue and the Public Open Space of Croft Avenue Rest Gardens.

Relevant Planning History

2009: Demolition of care home and redevelopment to provide 9 flats (6 two-bedroom and 3 one-bedroom) and 5 houses (3 two-bedroom and 2 three-bedroom), 15 car and 25 bicycle parking spaces and associated landscaping, utilising enlarged existing access. Application Permitted.

2015: Adur District Council Tree Preservation Order number 2 of 2015 confirmed 25/09/2015.

Consultations: None.

Representations
Two objections received from residents of Croft Avenue. The grounds for objection are that the trees were to be retained when consent was given for the development, and that potential purchasers would have been aware of this. The objection also suggests that the felling of two trees would not prevent leaves from becoming slippery and that the sweeping of the path would help to avoid a problem. Concern was also raised as to what trees would be proposed as replacements. The objections suggest that permitted works to the trees would alleviate the stated problems and retain the trees.

Relevant Planning Policies and Guidance

Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1
Draft National Planning Policy Framework (March 2012)
Circular 04/07 'Tree Preservation Orders: A Guide to the Law and Good Practice' (DETR 2000)

The trees are not within a Conservation Area, but the Croft Avenue Rest Gardens to the west are within the Southwick Conservation Area. There is statutory duty to pay special attention to the need to preserve or enhance the character or appearance of Conservation Areas (as required by policy AB4)

Planning Assessment
The trees are one medium sized early mature Sycamore tree T4 growing in the grounds to the south of the block of flats 1 to 9 adjacent to Croft Avenue. The other is one fully

mature much larger Holm Oak tree T4 growing in the southwest corner of the grounds adjacent to the public Open Space of Croft Avenue Rest Gardens.

The trees were previously protected by the Planning Consent for this development. The trees are visible from many views around Southwick Street, Croft Avenue and the Public Open Space of Croft Avenue Rest Gardens.

The proposal raises concerns over size and spread of the trees, claiming reduced availability of light and concerns about leaves and other debris from the trees, making the path slippery, blocking guttering and potentially causing subsidence. The two trees concerned are both part of a pair of similar trees directly adjacent to one another:

The Sycamore tree T4 is the further south of two Sycamores in the southeast part of the grounds of Amelia Close. The tree is one of a pair of early mature Sycamore trees, which are of a similar size and shape, and have intertwined crowns. The concern for this tree is that it restricts light to some of the flats of block 1 to 9 Amelia Close. Consent has previously been given to reduce both trees, which since re-grown, by approximately 0.5 metres in height and spread. It is considered that as an alternative to felling the one of the two trees, would be to crown thin and crown lifted to allow more light to filter through and beneath both trees.

The Holm Oak T2 is adjacent to Holm Oak T3, which is a slightly larger stemmed tree within 2 metres of T2. The two trees have intertwined crowns. The removal of Holm Oak T2 would therefore have a limited effect on the amount of leave and other debris that may fall on the pathway and guttering. The carrying out of selective pruning could help to alleviate the amount of leaf fall to the roof of the building. The proposal also mentions concerns that Holm Oak as a species may cause subsidence. This is a factor that would have been taken into account prior to the commencing of the development of Amelia Close, and that would have been part of the Building Control.

The Officers report for application ADC/0289/09 (the development of the former Elmcroft) stated that:

There is significant tree screening around the site, both from trees within the site and adjacent to it. While none of the trees are subject to Tree Preservation Orders, it is considered, collectively, that they are important to the character of the site, the street scene and for the protection of the amenities of the adjacent residents.

Also the Planning Statement submitted by the Developers of the site stated;

The scheme has been assessed and it is considered that the new development will have little or no more impact on the trees than already exists with the current building.

The reasons for felling are not a reasonable justification to fell two important attractive and prominent trees of significant public amenity value. As such, the proposal would be detrimental to, and would not preserve or enhance, the character and appearance of the

area around Amelia Close and Croft Avenue there are no compelling reasons in the application that cannot be addressed by suitable Arboricultural works.

Recommendation

Refuse for the following reason:

The proposed felling of this pair of prominent trees, which are an established feature of the Area, would be detrimental to, and would not preserve or enhance, the character and visual amenities of the area. The trees are not a barrier to use of the grounds, and this is not an acceptable reason to fell protected trees.

21ST December 2015