Development Management – Delegated Officer Report **Date; 01/05/15**

Application Number	**AWDM/0427/15**
Address	**41 Mill Road Lancing BN15 OPZ**
Proposal	**Application for consent under Adur Tree Preservation Order 162/2/77(L) of 1977 to fell and replace one Holm Oak tree T15.**

Date of site visit: 14/04/15

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

Proposal, Site and Surroundings

The application refers to a single Holm Oak tree in the front garden of 41 Mill Road, in the south eastern corner, adjacent to the driveway and public highway. There is no public footpath on this side of Mill Road Lancing. The tree is a part of an established group of trees, which are a prominent part of the street scene and make a contribution to the character and visual amenities of the area.

Consent is sought to fell the tree.

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

Consultations: Consultation letter sent to Lancing Parish Council. No responses or comments received.

Representations: None received.

Relevant Planning History

1977: Adur Tree Preservation order 162/2/77(L) of 1977 confirmed on 30/11/1977.

2004: Application for consent under Tree Preservation Order No. 162/2/77(L) for Crown reduction of 2 Holm Oak Trees and crown lifting/thinning of 4 others.

2012: Fell 6 Holm Oaks subject to TPO 162/2/77/L and replace with Silver Birch. Refused.

2013: Application for consent under Tree Preservation Order No. 162/2/77(L) to fell two Holm Oak (T11 and T13) and to replant (for T13) one Dawyck Beech; and to crown thin by 15% one Holm Oak (T10), and to reduce crown spread/growth to the southern aspect over neighbouring property by 2 – 3 metres and reduce weight by 25% on higher sections on one Holm Oak (T14) – all in front garden.

Planning Assessment

41 Mill Road, Lancing is a detached house and single dwelling. It lies on the west side of Mill Road opposite the junction of Norbury Drive with Mill Road and within a residential area consisting mainly of detached houses and bungalows. The site is not within a Conservation Area.

Within the front garden of the property are six protected Holm Oak (Quercus ilex) trees, which are protected as individual trees, T10 to T15 under Tree Preservation Order No. 162/2/77 (L).

The Holm Oak tree T15 is a medium sized mature growing in the southeast corner of the front garden. The tree has two partially fused stems from ground which divide at 5 -5.5 metres. The original 3-4 stems of the tree extend for less than 1 metre, where the tree was historically pollarded. From this point the stems are young slender mostly upright leading to a dense canopy at the top of the crown. The tree is clearly visible from Mill Road and nearby junctions onto it.

The proposed works are to fell the tree.

The supporting statement for the application is an Arboricultural Report prepared by Philip Ellis Arboricultural Consultancy in 2012. This report suggested the removal of three trees, two of which have been given permission for removal T11 and T13. The report describes Holm Oak T15 as being of “Little value in quality and close to the road edge”. Although it was noted that the tree had old pruning wounds there are no other references to the trees condition suggesting there is any arboricultural reason the tree should be felled.

The appearance of the tree has been changed following recent works to lower the adjacent hedge and to remove ivy. This has left a slightly defoliated group of stems at around 5 to 7 metres when viewed from the east. However when viewed from the north or south, the tree forms an intrinsic part of the group of Holm Oaks forming a lower canopy that compliments the taller trees.

In my opinion this tree does have amenity value and its removal would have minimal effect on the light or views of 41 Mill Road. The felling of this tree would significantly and adversely affect the character and the amenity value of the area

Recommendation

REFUSE for the reason(s):-

1. The proposed felling of this prominent tree, which is 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 tree is not a hindrance to the appearance of the property, and this is not an acceptable reason to fell a protected tree.

Is recommendation contrary to letter(s) of representation?

No

Case Officer: JDS Date: 01/05/2015

Authorised by: Gary Peck Date: 1 May 2015