Development Management – Delegated Officer Report **Date; 14/04/16**

Application Number	**AWDM/0347/16**
Address	**The Walled Garden Middle Street Shoreham-by-Sea BN43 5DP**
Proposal	**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 Sliver 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 & T26 one Goat Willow T27 and one Ash T28 in the Shoreham Conservation Area.**

Date of site visit: 13/04/16

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

Proposal, Site and Surroundings

The application refers to twelve trees in the garden grounds of 21 Middle Street. The property has the main building in the centre of the grounds with landscaped garden on all sides. The trees are mostly away from the public view, being closer to the boundaries with neighbouring properties.

Consent is sought to crown lift two trees reduce height of six trees (including one re-pollarding) and to remove four trees.

The reasons for the works are for various reasons including safety, abating nuisance and amenity value.

Consultations: None.

Representations: One received from a neighbour close to trees T24, 25 and 26. The representation suggests that privacy will be removed by felling and crown reducing the trees, and that the purpose for doing the works is unnecessary.

Relevant Planning History

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.

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.

Planning Assessment

The trees are 3 large matures, 3 medium matures and 6 smaller sized trees of various ages. The trees are growing on all sides of the grounds that surround the main building. The trees within the "Walled Garden" are 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 Shoreham Conservation Area.

The trees are;

Macrocarpa T20 and T21
These are two large mature trees in the main garden to the south of the property. The two trees have high crowns on mostly clear stems; twin on T20 from 2.5 metres and single on T21. The main crowns are intertwined and moderately wide spreading. The proposed works are to crown lift up 6 metres, to allow more light to pass beneath the crown.

Silver Birch T22
This is a slender narrow tree growing directly beneath the combined crowns of T20 and T21. The tree is slightly suppressed and has a rather spindly appearance. The proposed works are to reduce the crown height by up to 4 metres to clear the crowns of the Macrocarpa and re-shape the crown.

Laburnum T3
This tree is part of the group of trees that include T22 to T24 and a large mature Corsican Pine. The Laburnum is a single stemmed tree to 1.5 metres where it then divides into two. The north stem has been removed at 2 metres leaving the south stem, which is slender with a narrow crown that extends into a much larger Corsican Pine tree. The proposed works are to reduce the crown height by up to 4 metres to clear the Pine, re-shape the crown and reduce loading on the damaged main stem.

Yew T24
This a small stand of thin stems that emerge from ground level adjacent to a boundary wall in the northwest corner of the garden. The Yew also has one main larger stem that extends south across the neighbouring garden. The Yew tree is mostly clear up to 1.5 metres where wide spreading lateral branches emerge. The proposed works are to reduce the height and radial spread by up to 2 metres. This is to contain the size and spread of the tree, and to reshape its crown. The reduction works wil not clear Silver Birch tree T25 which is growing within the main crown of the tree.

Silver Birch T25
This is a single stemmed small tree that is mostly clear to 6 metres, where it then divides into multiple stems, due to either damage or poor pruning. The tree has sparse foliage, with some dead wood and is in an overall poor condition. The proposed works are to remove the tree, due to condition and proximity to the Yew T24.

Silver Birch T26
This tree has a clear single stem that persists to the top of the tree. The crown emerges at 2.5 metres and is slightly sparse. The tree has a large defect on the main stem which has reduced the sound wood of the stem. The proposed works are to remove the tree, due to poor condition and its proximity to better condition Holly and Maple trees.

Goat Willow T27
This is a twin stemmed or two trees growing in close proximity in the northwest corner of the property, adjacent to the boundary wall. The tree has foliage from 0.5 metres, with a bushy wide spreading crown. The proposed works are to remove the tree, due to its proximity to the wall, other trees have been planted away from the boundary.

Ash T28
This is a small to medium sized immature tree growing at the centre of the northern boundary of the property. The tree is single stemmed with a dense crown from 2 metres. Although directly adjacent to the wall the main crown is slightly A-symmetrical, where some small limbs have been cut back to clear the adjacent property. The proposed works are to remove the tree, due to proximity to the flint wall.

Fig T29
This is large Fig bush that has multiple tangled and twisted stems from near ground level. The proposed works are to carry out an overall reduction of 2 metres, to contain its size spread.

Catalpa T30
The Indian Bean tree is growing against the northern boundary wall between the entrance from Middle Street and the Fig T29. The tree has an angled single stem that divides into three main stems from 0.5 to 1 metre. Each stem has a crown break at 3 metres. The main crown is dense and wide spread with no central leader. The proposed works are to reduce the radial spread and crown height by up to 2 metres. This is to contain the spread and size of the tree and to re-shape its crown.

Ash T31
This is a larger over mature tree growing close to the vehicular entrance from Middle Street. The tree has a large diameter main stem that extends to 4 metres where a secondary stem emerges. Both stems have been repeatedly pollarded at 5 metres, in keeping with the TPO trees that line the eastern boundary of the property. The proposed works are to continue with the previous management and re-pollard the tree.

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

Recommendation

Grant Consent, subject to the following Conditions:

1. Proposed works, hereby permitted, shall be restricted to those specified in the application, only, unless otherwise agreed in writing with the LPA, 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?

One received from a neighbour close to trees T24, 25 and 26. The representation suggests that privacy will be removed by felling and crown reducing the trees, and that the purpose for doing the works is.

Yes, an objection was made claiming the works were superfluous and unnecessary, referring to the reduction in height and radial spread of the Yew tree T24 and the removal of Silver Birch T25 & T26, and the Goat Willow T27. The works to the Yew Tree T24 in my opinion are acceptable maintenance of a garden tree and the amount of reduction will not make a significant difference to the amount of privacy afforded by the tree; a reduction in height from approximately 8 to 6 metres. The Silver Birch trees T25 and 26 both have defects and are both growing in close proximity to other evergreen trees.

Case Officer: JDS Date: 14/04/2016

Authorised by: PD Date: 15.4.16