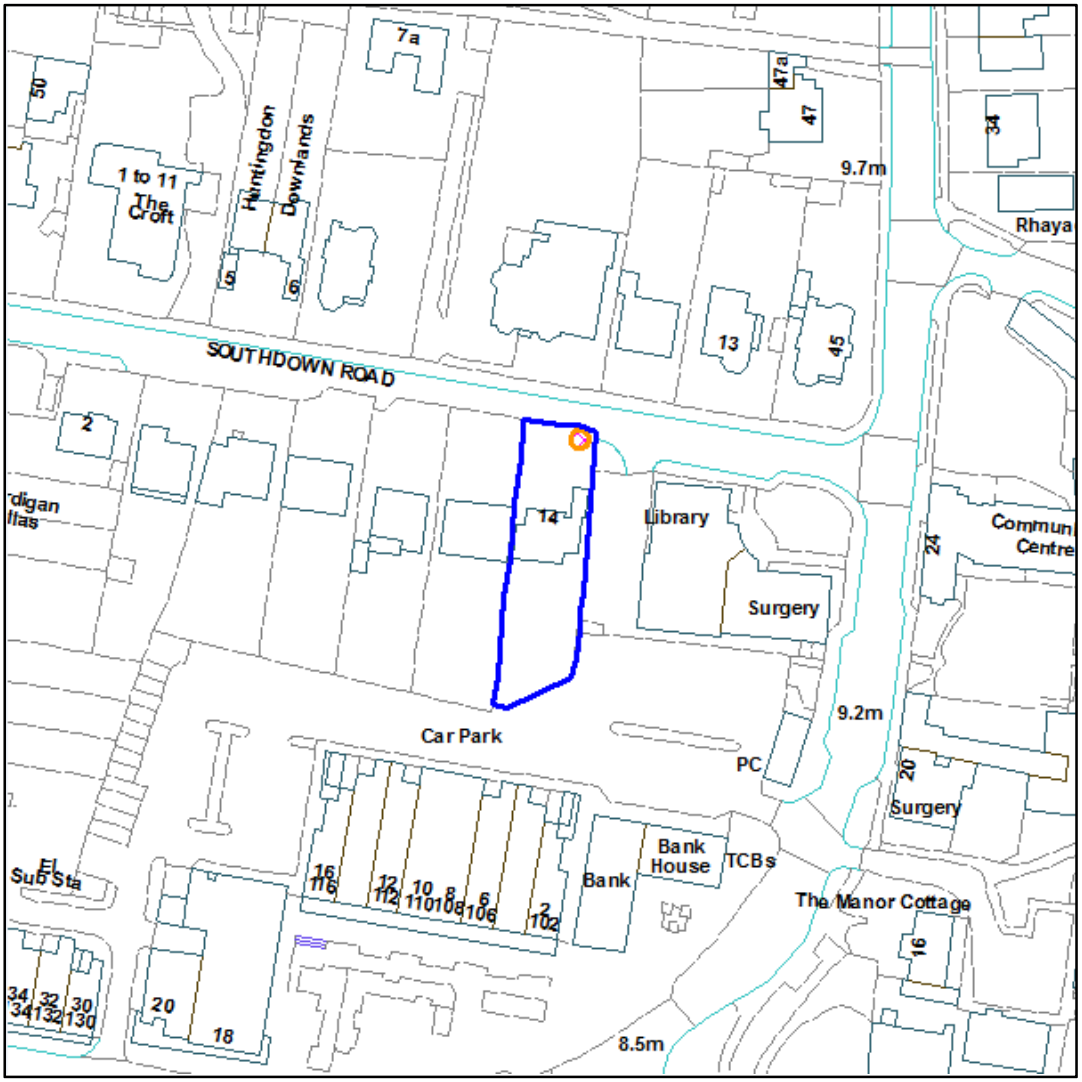
Application Number: AWDM/1578/20 **Recommendation – REFUSE**

Site Address: **14 Southdown Road Southwick BN42 4FT**

Proposal: **Application for consent under Adur Tree Preservation Order Ref: 13.53/1/05/SW to fell and replace one Macrocarpa Tree T1.**

Applicant: Mr Ian Felton

Case Officer: Jeremy Sergeant Ward: Southwick Green



Not to Scale

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Proposal, Site and Surroundings

The application refers to a large mature Macrocarpa Tree located near the northeast corner of the front garden adjacent to the carriage way of Southdown Road and the parking area for Southwick Library / Surgery. The tree is a prominent part of the street scene and makes a contribution to the character and visual amenities of the Southwick Conservation Area (although the tree itself is not in the Conservation Area, it is directly adjacent to the boundary of the Conservation Area and hence clearly visible from within it).

Consent is sought to fell and replace the tree. A previous application to fell this tree was considered by the Committee in 2018 and was refused.

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

Relevant Planning History

2005: Adur Tree Preservation order Number 13.53/1/05/SW of 2005 confirmed on 06/02/2006.

2006: Removal of 2 lower limbs of cypress tree (subject to TPO 13.53/1/05/SW) Refused

2007: Light pruning of low-growing and broken overhanging limbs of cypress tree (subject to TPO 13.53/1/05/SW) to avoid injury to passers-by.

2010: Remove deadwood of Macrocarpa overhanging library car park (subject to TPO 13.53/1/05/SW).

2018: Application for consent under Adur Tree Preservation Order No. 13.53/1/05/SW to fell one Macrocarpa tree (T1). Refused.

Consultations

None

Representations

None

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 15 and 30

Circular 04/07: Tree Preservation Orders: A Guide to the Law and Good Practice (DETR 2000)

National Planning Policy Framework (July 2018)

Applications in connection with carrying out works on trees that are protected by TPOs

The Committee should consider the Town and Country Planning (Tree Preservation) (England) Regulations 2012 that provides the application may be granted either unconditionally or subject to relevant conditions, or refused.

Planning Assessment

The tree was made the subject of a Tree Preservation Order in 2005 when an application was received for the redevelopment to provide a new library and GP surgery (SW/77/05/TP) at the Southwick Library. It was felt that as the tree formed a striking landscape feature within the near area, it should be the subject of a formal Preservation Order. It was noted in the planning assessment at the time that the tree is striking in appearance with low-lying branches overhanging the adjacent landscaped area within the curtilage of the library. The lower branches have since been removed due to damage and /or natural dieback.

The tree has a large diameter single stem from ground level that begins to separate into 5 to 6 stems from 2 metres some being fused, all becoming fully separated from 4 to 6 metres. Each of the stems mostly persists to the top of the high crown, each supporting several areas of deadwood. The main crown is open, slightly sparse and wide spread with some over extended laterals, and several large areas of deadwood exposing sections of defoliated branches and bark damage.

The Councils Senior Tree and Landscape Officer considers that remedial works to remove deadwood and damaged limbs to make the tree safer, have reduced its amenity value and form, and have not prevent its overall decline. The tree has recently lost several significant sized limbs, has several areas of decay, some deep cavities and is unlikely to survive as a prominent feature for more than 10 to 15 years.

However, as was the case when permission was refused in 2018, to fell the tree would cause a significant impact upon the character of the area. It is a prominent and attractive feature from the eastern end of Southdown Road and also clearly visible from the well-used Southwick Street and the car park on the northern side of Southwick Square. It can therefore be considered as a positive addition to the street scene. Policy 30 of the Local Plan states that ‘green infrastructure’ will be protected and that trees which make a positive contribution to the street scene should be protected.

While concerns regarding the health of the tree must be taken into account, the Tree Officer considers that an alternative suggestion could be to reduce the main crown in height and radial spread, to preserve the denser foliage and reduce weight in the crown. It has not been demonstrated that successful surgery could not be carried out that would retain the tree and accordingly your officers feel that felling of the tree at this point cannot be justified and accordingly it is recommended that permission is refused.

Recommendation

REFUSE permission for the following reason:-

The Macrocarpa tree is a prominent and established feature which makes a positive contribution to the character of the area and adjacent Southwick Conservation Area and its removal would therefore be detrimental to the visual character of the area. It is not considered that a sufficient arboricultural reason has been provided to justify the felling of the tree and accordingly the proposal fails to comply with policies 15 and 30 of the Adur Local Plan 2017.

7th December 2020