FAO Jeremy Sergeant RE: AWDM/1173/18

wendy Allen <[redacted] 2 October 2018 at 01:47
To: "planning@adur-worthing.gov.uk" <planning@adur-worthing.gov.uk>

Dear Jeremy,

Please find attached a copy of my comments that I have submitted online re: application AWDM/1173/18 submitted for Amelia Close under a TPO. I have copied this to you too as I was not able to upload my photo evidence using the online submission for comments.

Please could you respond if possible to the questions that I put to you last week (31 August) as I was hoping to use these responses to help with my comments regards the application above.

Kind regards

Wendy Allen

Sent from Mail for Windows 10

Letter to Jeremy Sergeant re AWDM-1173-18 Amelia Close Southwick August 2018.docx
7109K

Mr J. Sergeant,
Planning Services (Development Management,)
Portland House,
44 Richmond Road.
Worthing,
West Sussex.
BN11 1HS

Mrs W. Allen,
15 Croft Avenue,
Southwick,
West Sussex
BN42 4AA.

4th Sept 2018

RE: Application Ref. AWDM/1173/18 (Amelia Close, Southwick, Brighton, West Sussex).

Dear Mr Sergeant,

Further to my email dated 31st August 2018 with regards to the above application (I am still waiting for a response), I am further writing to you with respect to the application above for consent under **Adur Tree Preservation Order No. 13.53/2/15(SW)** to fell and replace one Acer tree T4 and reduce eastern side up to 1m to one Holm Oak T2, reduce eastern and southern sides by up to 1m to one Holm Oak T3 and reduce height and crown spread by up to 2m to one Acer T5 at Amelia Close Southwick.

I object to the felling of Acer tree T4 on a number of grounds

The immediate area around Amelia Close is populated with a variety of natural trees and flora that have matured over generations. It attracts a range of local wildlife including a pair of mating sparrow hawks that nest and hunt from the high trees adjacent to Amelia Close every year (they are currently here). The mature trees at Amelia Close, around the adjacent Southwick Square Garden, The Manor and Michaelmas properties to the north of Amelia Close and our house enhance the local environment adjacent to the Southwick Square shopping area and help create a village feel rather than just having urban buildings.

During the development of Amelia Close the trees on the site were protected and the tree preservation order was upheld on 28th September 2015. The location of the dwellings in Amelia Close and their communal amenity space and private gardens were subject to planning and building regulations and therefore, the position, size and future growth of the trees which include the trees named in this application for felling and replacement and trimming would have been evaluated and found not to be a concern.

We fully supported the confirmation of the Tree Preservation Order 13.53-2-15(SW) of 2015. We note that the Councils Tree Preservation report stated that -"The members understood the residents' concerns as to the lack of light and excessive screening however, following the Officer and Solicitor's advice, agreed the recommendation". This new planning application is one of a series raised by one or two residents who have issues with the trees in general at Amelia Close. There have been several planning requests of similar style since

the Amelia Close development was completed e.g. application AWDM/1497/15 which was to fell and replace one Holm Oak tree T2 and one Sycamore tree T4 (tree T4 being the same one in the this new application under Adur Tree Preservation Order No. 13.53/2/15(SW)) and application AWDM/1117/17 to fell and replace one Holm Oak tree T1 at 11 Amelia Close. With respect to felling tree T4 (and T2) under the previous application AWDM/1497/15 this was refused 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 tress.'

An application to fell T1 (AWDM/1111/17 under the TPO on the site has also been refused.

The tree T4 which is the subject of the new planning request to be felled and replaced is situated away from the buildings (further away and smaller than its neighbouring tree T5) at the most southern side of the development and adjacent to the boundary with Croft Avenue.

Tree T4 is one of many Acer (sycamore) trees found in the immediate area and I do not feel that the tree needs to be felled because it causes a 'distinct lack of light indoors due to the size and density of this tree, close to the building' as stated in the planning application and especially as the tree T5 close to T4 is bigger than T4, has a larger crown and is closer to the building but the residents only want 'approx 6ft off top' of this tree. Why apply to remove the smaller tree?

These trees are deciduous so if there is any transient shadowing as the sun moves around during the day (the building is south facing) this would only occur for about 5 months of the year, and in fact without this tree the south facing rooms of the building could get too hot. The trees T4 and T5 would only potentially shadow intermittently (as the sun moves around) and this would predominantly affect the bedrooms of the flats at the eastern side of the building. The canopy of the tree are above the second floor windows of the 3 story building.

Residents sit outside sunbathing near the building (on patio area) opposite tree T4 where the sun clearly reaches.

The tree T4 (and the other trees) look nice and healthy, however, in section 8, part 1 the condition of the tree(s) is ticked YES for diseased/fear of break or fall. Where is the written evidence for this from an appropriate expert and if it is available why is it not added to the information about this application on your website for examination?

I note on the application for tree works submitted that there are a few mistakes and it is poorly written

e.g.

- The company/agent name is in fact Botanica (UK) LTD registered in 2014 and not Branch Out Tree Care (section 2),

- In the hand written drawing (section 7) the name of the road is incorrect, It is NOT Croft Lane but should be Croft Avenue.

I am concerned about the 'accuracy' and 'professionalism' of the works submitted.

If you buy a property which has large trees in the garden with a TPO then you would be accepting of the implications of having a TPO in the same way that if you purchase a listed building there are restrictions about what you are able to change

In Summary:

I Object to the felling of tree T4 based on the need to preserve the character and nature of the area and not to fell trees unless they are in danger of falling due to disease. **I disagree with the reasons put forward in the application. It does not appear to block light and is smaller than the tree T5 next to it and looks to be a perfectly healthy tree. This tree is also deciduous so if there is any shadowing by this tree it is only for about 5 months of the year, the building is south facing so any shadowing is transient during the day affecting a few bedrooms.** Likewise I feel that a tree preservation order which has already been upheld from previous planning applications to fell trees on or around the site would, if not upheld in this new application will set a precedent for potential felling of all the other trees in Amelia Close which is what I predict will happen as other trees on the site have been subject to felling applications under the TPO previously.

The planning decision to build the Amelia Close development was to protect its surroundings including the trees and integrate the development into the location. This application if passed with regards to felling of tree T4 will make Amelia Close less part of the environment and more a sterile brick, render and tile accommodation block as viewed from Croft Avenue and residents living opposite the tree would be overlooked.

I do not object to trimming management of the other trees T2 and T3 (however, I don't think a maximum 3 foot reduction of crown will make any difference to amount of light when these trees are adjacent to bigger ones in Southwick Square Garden) and T5 (however, a reduction in height of 6ft would still be above the gutter level of the building and not have any effect on light levels to residents).

If the tree T4 is felled what is the point of having a Tree Preservation Order at all!

I hope these comments are taken into consideration and that the application to fell and replace tree T4 is NOT upheld. We attach a series of photo's supporting our statement above.

Flats 1-9 Amelia Close Southwick (south



Monday, 20 August 2018



Monday, 20 August 2018



Monday, 20 August 2018

