Development Management – Delegated Officer Report **Date; 29/06/23**

Application Number	**AWDM/0623/23**
Address	**47 Southwick Street Southwick West Sussex BN42 4TH**
Proposal	**Section 211 Notice under the Town and Country Planning Act 1990 to fell and replace three Holm Oak trees and one Bay tree in the Southwick Conservation Area.**

Date of site visit: 11/05/23

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

Proposal, Site and Surroundings

The application refers to three large mature Holm Oak trees: two to the southern side and one on the northern boundary of the front garden and a large Bay tree growing in the divided section that forms the front garden of 47a Southwick Street. The trees are a prominent part of the street scene and make a significant contribution to the character and visual amenities of the Southwick Conservation Area.

Consent is sought to fell and replace the three Holm Oak trees and the Bay tree.

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

Consultations: None.

Representations: One representation received from a nearby neighbour in support of the felling of the Holm Oak tree T3 on the eastern border, claiming it is a danger to pedestrians and the carriageway and that the tree blocks light.

Relevant Planning History

1976: The Southwick Conservation Area was first designated in June 1976.

2015: Section 211 Notice under the Town and Country Planning Act 1990 to reduce radial spread by up to 2 metres, and to crown lift up to 4 metres two Holm Oak trees in the Southwick Conservation Area.

2017: Section 211 Notice under the Town and Country Planning Act 1990 to crown lift up to 4 metres one Holm Oak T4, Crown lift up to 4 metres and reduce radial spread by up to 2 to 3 metres, one Holm Oak T5, and to fell four trees: Holm Oak T3, Oak T6, and Leylandii T1 and T2, in the Southwick Conservation Area.

2018: Section 211 Notice under the Town and Country Planning Act 1990 to crown lift up to 5.5 metres one Holm tree in the Southwick Conservation Area.

Planning Assessment

The trees are three large mature Holm Oaks and a tall slightly smaller and younger Bay tree. The Holm Oak are growing along the eastern and southern boundaries of the property adjacent to the public footpath of Southwick Street and the rear garden of 45 Southwick Street. The Bay tree is on the northern boundary, within the separate garden of number 47a Southwick Street, close to the access way between 47a and 49 that connects properties to the rear of Southwick Street and Roman Crescent. The trees are prominent to the area, and can be seen from many views. The trees are:

Holm Oak T1
This is the tree closest to Southwick Street, near the southeast corner of the front garden of 47 Southwick Street. The tree is single stemmed to 2 metres where it then divides into two. The east stem is upright and divides again at 4 metres, into an array of long slender stems that form the eastern side of the main crown. The stem to the west angles outward to the southeast, and supports leaning slender stems that become more dense at the ends of the limbs. The tree has no central leader, with a broadly domed shape to the crown that intertwines with the Holm Oak tree T2.

Holm Oak T2
The Holm Oak T2 is growing in close proximity to T1 being further west along the border with 45 Southwick Street. The tree is single stemmed to 2 metres, with multiple stems from this point. The main crown has numerous upright slender stems that have foliage deep into the crown. The eastside of the tree has minimal foliage, with the Holm Oak T1 providing the leaf cover. Due to the upright habit of this tree it is considered that there is an important cohesion between the two trees that have a shared crown.

Holm Oak T3
This tree is north of the vehicular access from Southwick Street, on the eastern boundary of the front garden. The tree is twin stemmed from ground level, with each dividing into multiple arching stems from 2 to 3 metres, that are wider spread to the east over the road and pavement and slightly more upright to the west, close to the main building. The secondary stems are clear to 6 metres, with the centre of the crown being mostly without foliage. The base of the tree is directly adjacent to a pillar of the low boundary wall. The main crown is dense and wide spread with over extended laterals.

Bay T4
The Bay tree T4 is growing in the front garden of 47a Southwick Street, to the northern side of the property. The tree is a tall mature Bay and has several stems from ground level, with three larger diameter main stems that divide from 2 to 3.5 metres. The tree has no central leader and no defined shape or form. Some of the higher stems are stag headed and the crown is slightly sparse, possibly due to a recent insurgence Ivy. The main crown is sparse and wide spread with some slightly over extended laterals.

The proposed works are to fell and replace all four trees. The reasons given are concerns that the trees will cause damage to the property, that the leaves from the trees block the guttering, they prevent sunlight and that the Holm Oak T3 is damaging the front garden wall. Most of these concerns can be alleviated by selective works such as reduction in radial spread, crown lifting and crown thinning. A provisional Tree Preservation Order was placed on the two Holm Oak trees T1 and T2 on the 14th June 2023.

The Holm Oak T3 has not been considered for a Tree Preservation Order as its crown, although tall and imposing, has a somewhat defoliated centre, which limits the scope for reduction or general maintenance. Also the base of the tree straddles the boundary, which on balance does not make the tree as important as T1 and T2. The Bay tree is generally of less significance due to its erratic form and the amount of deadwood present. Therefore consent is given to fell these two trees.

The works in my opinion will be large in relation to the overall number of trees and a significant amount of change will take place. However the effect on the Southwick Conservation Area will be compensated with the provision of replacement trees.

Recommendation

Split Decision:

Grant Consent: To fell and replace Holm Oak T3 and Bay T4.

Refuse: To fell and replace Oak tree T1 and T2

REFUSE for the reason(s):-

1. The Holm Oak trees T1 and T2 are prominent and established features, which contribute positively to the character and landscape of the Southwick Conservation Area. Having regard to the maturity and stature of the trees and their prominence within the street scene, there is no arboricultural or other acceptable reason provided which would justify the loss of these trees. Therefore the proposed felling and replacement of both trees is refused

Is recommendation contrary to letter(s) of representation?

No

Case Officer: JDS Date: 29/06/2023

Authorised by: PB Date: 29/6/23