DELEGATED APPLICATIONS ASSESSMENT SHEET

Application No: 11/0226/TPO	Recommendation – Approve Application
Site	61 College Gardens Worthing West Sussex BN11 4QE
Proposal:	Application for consent under Worthing Tree Preservation Order No. 8 of 1982 to crown lift 2 Flowering Cherry (T38 and T39) and 1 Flowering Crab (T40) adjacent to Nos. 59, 61, 63 and 65 College Gardens

Date of Site Visit: 24th April 2011

Neighbours Checked: Y

Additional Neighbours Notified (List Addresses): N

SITE AND SURROUNDINGS & DETAILS OF PROPOSAL:

College Gardens is a large complex of open-plan flats and houses, developed in the 1960s. It lies between Grand Avenue and Downview Road, with Mill Road to the south, and contains about 50 trees, most of which are protected under the Worthing Tree Preservation Order No. 8 of 1982.

The application relates to three protected trees in the central part of the complex. These are two Flowering Cherries, T38 and T39 and a Flowering Crab, T40.

Consent is sought to crown lift these three trees by one metre.

The works would involve the removal of the lowest branches on the trees; in the case of the two Cherry trees by up to one metre over the lawn and footpath, and in the case of the Flowering Crab, by up to 2.4 metres over the pavement outside the boundary and by up to 1.8 metres over the lawn, these being remedial works of general maintenance.

CONSULTATIONS AND REPRESENTATIONS

The Borough Arboriculturist supports the application as made..

HUMAN RIGHTS

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the applicant's Rights. However, it is considered that the harm caused by the development outweighs these and that in the public interest the application should be refused. Accordingly it is considered that this decision complies with the Human Rights Act 1998, with regard to Article 8 and Article 1

PLANNING ASSESSMENT

These trees are small, but prominent, attractive features of College Gardens.

The proposed remedial surgery to each tree would be minor in extent.

These works are necessary in order to provide sufficient height clearance over footpaths and lawn areas within this part of the College Gardens estate. The works would not significantly alter the natural crown form and appearance of the trees and would preserve their amenity value.

Subject to the works being restricted under a condition of consent to these specified works only, unless otherwise agreed in writing with the Local Planning Authority, and being carried out in accordance with British Standard BS 3998 (2010) *Recommendations for Tree Works,* the application is considered to be acceptable.

Conditional consent is recommended.

RECOMMENDATION

Approve, subject to the condition:

1. C11Mliv – Restrict works to those specified in the application only, unless otherwise agreed in writing with the LPA, and carried out to British Standard BS 3998 (2010) 'Recommendations for Tree Works.'

Reasons for Recommendation: Not Applicable

Is recommendation contrary to letter (s) of representation?

No/~~Yes/NA~~

DELEGATED

Case Officer Sign..... [redacted] .....Date..19th May 2011.....

Authorising Officer Sign..... [redacted] .....Date..25.5.11.....