DELEGATED APPLICATIONS
ASSESSMENT SHEET

APPLICATION No. and SITE: WB/11/0172/TPO – 36 Longlands

DATE OF VISIT: 7th April 2011

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR CONSULTATIONS: N/A

PROPOSAL, SITE AND SURROUNDINGS

Consent is sought to fell two suppressed Beech trees in the rear garden of 36 Longlands.

The stated reasons for the works are to tidy the garden.

The property is a detached house on the north side of Longlands. It backs onto Hill Barn Golf Course and the South Downs National Park, to the North. The trees form part of a linear group of trees, consisting predominantly of Beech, in the rear gardens of Nos. 32 to 44 Longlands, and are protected as G4 under the Worthing Tree Preservation Order No. 46 of 2003.

RELEVANT PLANNING HISTORY

1954: Tree Preservation Order No. 3 of 1954 made; Confirmed 1955
1967: Planning permission granted for the original detached dwelling (WB/249/67)
1[redacted]4: Consent granted to fell 3 Beech trees subject to replanting with additional Beech trees (WB/385/84/TF)
1985: Consent granted under TPO 3/1954 to remove 2 low branches on one Beech tree at 38 Longlands overhanging 36 Longlands (WB/129/85/TF)
November 2003: **Tree Preservation Order No. 46 of 2003** made: Confirmed 29th January 2004

RELEVANT SAVED PLANNING POLICIES & NATIONAL PLANNING POLICY GUIDANCE

British Standard BS 3998 (2010) Recommendations for Tree Works

REPRESENTATIONS

The Borough Arboriculturist supports the application, subject to the provision of replanting. He comments:

"The two Beech trees are suppressed and although their dead tops have wildlife value, their loss would not be significant in visual amenity terms, subject to the provision of replacement planting.
There is space for two young Beech trees, or one Ash and one Beech just to the east of their present position, where young Beech particularly will tolerate some shade."

H[redacted]MAN RIGHTS

Article 8 of the First Protocol (Protection or Property) of the Human Rights Act 1998 is relevant to this application. It is accepted that this proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly, it is considered that it is acceptable with regard to Article 8 and Article 1.

PLANNING ASSESSMENT

The Longlands estate, consisting of detached houses, was developed in the late 1960s.

The trees in the rear gardens of this part of the estate were formerly protected under the Worthing Tree Preservation Order 3/1954. This was revised in November 2003 under the Worthing Tree Preservation Order No. 46/2003, which is the current TPO affecting these trees. This was confirmed in January 2004. The trees the subject of the application, along with the other trees in the same group on No. 36 Longlands, extending to the rear of Nos. 32 to 44 Longlands, are protected under TPO 46 of 2003 as Group G4.

The two suppressed Beech trees at 36 Longlands have grown under the canopies of the much larger adjacent trees in the same group, resulting in dieback from which they will not develop into trees of greater stature or prominence.

In view of this, it is considered that the removal of these two suppressed Beech would not undermine or detract from the amenity value of the group of trees G4 as a whole, and is acceptable, so long as suitable replacement planting is carried out,to accord with Section 206 of the Town and Country Planning Act 1990.

On the advice of the Borough Arboriculturist, the replacement planting should be provided in the open space in the rear garden of the property, to the east of the trees, and adjacent to the rear boundary of the site, using either two Beech or an Ash and a Beech, in the interests of preserving the visual amenities of the area.

Subject to conditions requiring the felling to be carried out within a period of six months from the date of consent and the provision of replacement tree planting, consisting of a minimum of two standard Beech (Fagus sylvatica) *or* an Ash (Fraxinus excelsior) and a Beech (Fagus sylvatica) in the north-eastern part of the site in accordance with details to be agreed in writing with the Local Planning Authority, and carried out before 31st December 2011, the application is considered to be acceptable.

RECOMMENDATION

Grant consent, subject to:

1. Felling of two suppressed Beech trees the subject of the application to be carried out within six months from date of consent.

2. Two standard Beech, or a standard Ash and a standard Beech, shall be planted in the north-eastern part of the site in accordance with details to be agreed in writing with the LPA, and carried out before 31st December 2011.

3. Replanting with similar trees required, should the implemented replanting under Condition 2 fail within five years of planting.

REASON FOR THE RECOMMENDATION: N/A

IS THE RECOMMENDATION CONTRARY TO LETTERS OF REPRESENTATION: Y/N

DELEGATED

Case Officer sign.....Date: 27th April 2011.....

Authorising Officer sign.....Date.....28·4·11.....