DELEGATED APPLICATIONS
ASSESSMENT SHEET

APPLICATION No. and SITE: WB/11/0130/TPO – Seaview Court, Bath Road

DATE OF VISIT: 24th March 2011

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR CONSULTATIONS: N/A

PROPOSAL, SITE AND SURROUNDINGS

Seaview Court consists of 2 x 3-storey blocks of flats, totalling 34 flats, situated partly on the south side of Rowlands Road and partly on the north side of Bath Road to the south, with associated garaging. (The site address is given as Bath Road, although the northern block fronts Rowlands Road).

The application relates to a group of six protected Holm Oak trees *(Quercus ilex)*, G1 under the Worthing Tree Preservation Order No. 33 of 1995, in the front garden of Flats 1 to 16 Seaview Court, fronting Rowlands Road.

Consent is sought to remove the lower branches on the northern side of the trees, adjacent to Rowlands Road, to clear the pavement by up to 3 metres and to clear the road by up to 5 metres, and to reduce the spread of the trees on their southern side towards by the building by 2 metres.

The applicant's stated reasons for the works are:

"The trees have large overhanging branches, which are now causing concern, as they are overhanging the pavement and the road. This could be hazardous to both pedestrians and moving vehicles."

RELEVANT PLANNING HISTORY

Tree Preservation Order No. 42 of 1997 confirmed on 14th October 1997

January 2001: Consent granted to prune 6 Holm Oak within G1 and prune 3 Silver Birch within G2 (WB/01/01202/TPO)

February 2007: Consent granted for selective crown lifting of six Holm Oak trees (G1) (WB/06/1409/TPO)

RELEVANT SAVED PLANNING POLICIES & NATIONAL PLANNING POLICY GUIDANCE

British Standard BS 3998 (2010) Recommendations for Tree Works

REPRESENTATIONS

The Borough Arboriculturist supports the application as made.

HUMAN 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

These Holm Oak trees are a prominent feature within the street scene.
In 2001, and again in 2007, light crown lifting by the removal of lower branches was permitted and carried out on these trees.

Subsequent re-growth has been significant, with low branches over the pavement and road along Rowlands Road that are beginning to impede pedestrian and vehicular movements, and some of which also noticeably spread towards the front of Flats 1 to 16 Seaview Court, reducing lighting and outlook ~~and lighting.~~

The proposed crown lifting works would re-shape the lower crowns of the trees, whilst addressing the residents' concerns, which will improve the appearance of the trees and their amenity value.

Subject to the works being restricted to these only, unless otherwise agreed in writing with the LPA, the application is considered to be acceptable.

RECOMMENDATION

Grant consent, subject to:

1. Restrict works & to BS 3998 (2010) Recommendations for Tree Works
2. Time limit – 1 year

REASON FOR THE RECOMMENDATION: N/A

IS THE RECOMMENDATION CONTRARY TO LETTERS OF REPRESENTATION: Y (N)

DELEGATED

Case Officer sign.....Date: 26th April 2011.....

Authorising Officer sign.....Date.....28.4.11.....