## DELEGATED APPLICATIONS

## ASSESSMENT SHEET

**APPLICATION No//ADDRESS**

WB/10/0426/TPO – 58 Roedean Road

**DATE INSPECTED**

10th June 2010

**PROPOSAL AND THE SITE**

The application relates to a protected English Oak tree *(Quercus robur)* in the rear garden of No. 58 Roedean Road; T2 under the Worthing Tree Preservation Order No. 3 of 2004.

Consent is sought to crown clean and to crown reduce the tree by 2.5 metres by drop crotching.

The reasons for the works are not expressly stated, but based on the application, which was refused in 2007, the grounds are primarily concerned with the size and spread of the tree and its encroachment over the rear gardens of Nos. 56 and 58 Roedean Road.

**RELEVANT PLANNING HISTORY**

Tree Preservation Order No. 3 of 2004 confirmed on 23rd June 2004
February 2007: Consent refused to remove 1/3rd of the crown and dead wood English Oak (WB/07/0060/TPO)

**CONSULTATIONS**

The Borough Arboriculturist supports the application in principle, and comments:

> *"Oak tree, approximate height 15 metres, spread 15 metres; application to reduce radial crown spread by 2.5 metres to give a spread of 10 metres is supported, together with a reduction in height by up to 2 metres to give a finished height of 13 metres by drop crotching."*

**REPRESENTATIONS**

None

**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 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 in relation to Article 8 and Article 1, respectively.

**GOVERNMENT GUIDANCE and PLANNING POLICIES**

DETR: Tree Preservation Orders – A Guide to the Law and Good Practice
British Standard: BS 3998 (1989) *"Recommendations for Tree Works."*

**PLANNING ASSESSMENT**

This established English Oak is a very prominent feature of the area, with a crown height and spread of 15 metres and having high public amenity value.

The proposed reduction in spread by 2.5 metres would reduce the diameter crown spread of the tree by 5 metres from 15 metres to 10 metres; and its reduction in height would reduce the tree's height by 2.5 metres from 15 metres to approximately 12.5 metres.

The tree's lower side branches are encroaching low over the rear gardens of Nos. 56 and 58 Roedean Road (~~2 terraced~~ pair of houses) and over the adjacent garage compound to the east. The reduction in crown spread would remove these outermost side branches sufficiently to allow clearance, but without unbalancing the tree's shape, natural form or appearance.

In visual amenity terms, therefore, these reduction works to the tree are supported, subject to a condition restricting the extent of reduction in radial spread of the tree to reduction by up to 2.5 metres and in height by up to 2 metres, by drop crotching, and to growth points.

On this basis, these remedial works to the tree would not significantly reduce the prominence or adversely affect the amenity value of the tree to an unacceptable or unsympathetic degree.

Conditional consent is accordingly recommended to be granted.

**RECOMMENDATION**

**Grant consent,** subject to:

1. Restrict works
2. Time limit – 1 year

**IS THE RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION?** Yes/No

**DELEGATED**

Case Officer sign..... [redacted] ..... Date: 21st June 2010

Authorising Officer sign [redacted] ..... Date 22·6·10