DELEGATED APPLICATIONS
ASSESSMENT SHEET

APPLICATION No. and SITE: WB/11/0044/TPO – 44A Arundel Road

DATE OF VISIT: 11th March 2011

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR CONSULTATIONS: N/A

PROPOSAL, SITE AND SURROUNDINGS

No. 44A Arundel Road is a modern detached chalet-style dwelling with garage, built in 2002. It occupies a backland plot on the south side of Arundel Road, and backs onto 2-storey terraced houses in Cheviot Road, to the south. The property is served by a driveway to Arundel Road, between Nos. 44 and 46. Along the rear and side boundaries of the site are individual and groups of Sycamore, which are protected under Tree Preservation Order No. 66 of 2001.

Consent is sought to pollard to approximately 4.6 metres (15 ft.), leaving a single clean upright stem, a group of six Sycamores trees along the western side of the rear garden. The trees form part of Group G1 of TPO 66/2001.

The reasons for the works are that the trees are the cause of unreasonable shade to the rear elevation of the property. It is intended to maintain the trees at this lowered height by regular pruning.

RELEVANT PLANNING HISTORY

Tree Preservation Order No. 66 of 2001 confirmed on 25th September 2001

15th December 2008: (WB08/1070/TPO) Conditional consent granted to remove or cut back low branches to give 4.5m clearance from ground level to 2 Sycamore in front garden; reduce down to approximately 4.57 metres (15 ft.) above ground level leaving trees nearer to the rear boundary 60 cms higher to 7 Sycamores, and lift laterals growing towards the garden to 4.5 metres to 10 Sycamores in rear garden

RELEVANT SAVED PLANNING POLICIES & NATIONAL PLANNING POLICY GUIDANCE

DETR: Tree Preservation Orders: A Guide to the Law and Good Practice (March 2000)
British Standard: BS 3998 (2010) Recommendations for Tree Works

REPRESENTATIONS

A letter of objection has been received from the occupier of one of the adjoining properties, a terraced house, 36 Cheviot Road to the south-west of the site. The writer raises the following concerns:-

(i) Tree 1 shown on the plan is not one tree but a group of three;
(ii) The trees are to the north of the rear garden of 36 Cheviot Road and form a very important backdrop;
(iii) The large rear gardens of the original houses in Arundel Road contained numerous mature trees and large shrubs, which gave a rural outlook. This was completely levelled to built the new houses of which No. 44A is one, leaving just the few Sycamore trees that remain;
(iv) The trees are protected by TPO 66/2001. To pollard these trees, leaving them, to all intents and purposes, nothing more than stark telegraph poles, would be vandalism and devastating.

The Borough Arboriculturist objects to the proposed tree works, and comments:

"Not supported. The pollarding of the mature Sycamores would be damaging to their form, condition and amenity value and cannot be supported. This treatment was only supported on the eastern section of the group in the past because their tops were in such a poor condition. It is not appropriate to do the same on the healthy remainder of the group. There is potential scope for the minor reduction of branches developing over the bungalow and the possible felling of some suppressed trees from within the group."

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

The reduction work to the group of seven Sycamores along the southern perimeter of the site was granted consent in December 2008, on the basis that as the tops of the trees were in poor condition, the proposed pollarding, to leave them with a height of 4.5 metres, would help to reinvigorate the trees, which if supplemented by the introduction of additional tree planting, would strengthen their group value and public amenity value. Condition 3 of the consent, WB/08/1070, requires that within a period of one year from the date of consent additional planting shall be carried out along the southern boundary of the site in connection with the reduction works to the 7 Sycamores, in accordance with details which shall first be submitted to and approved in writing by the LPA. This has not been complied with, although the reduction works have been completed. This matter is being pursued with the applicant.

The current application has been submitted on the same basis as application WB/08/1070/TPO. It seeks consent to pollard the group of six Sycamore trees along the western side of the rear garden of the property, leaving them at a height of 4.5 metres and thereafter, with the intention of maintain them at that lowered height on a regular basis. The reasons for the works are as stated in application WB/08/1070/TPO, which are to enhance lighting levels to the rear of the property and its garden, as the trees are the cause of unreasonable shade.

The six Sycamores, the subject of the application, form a closely planted group of trees in the south-western corner of the rear garden of the property. The trees are a significant landscape feature of the area, which is readily visible from Cheviot Road and Cotswold Close to the south and east both over and above and between the adjacent dwellings, which in view of their maturity and height and their natural form, appearance and good condition gives them high public amenity value within the locality.

Unlike the seven other Sycamore trees to the east in the same group, which were in a poor condition in 2008 and which have been pollarded under consent WB/08/1070/TPO, these remaining mature Sycamore trees in the group are in a good condition, with no signs of decay or disease.

In the light of these findings, the proposed pollarding of these healthy specimen, prominent Sycamores would be damaging to the natural form, branch structure, condition and appearance of the trees, which in view of their prominence and landscape value, would be detrimental to the character and visual amenities of the area.

Whilst the aim of the works is appreciated, it is considered that these works are unacceptable on visual amenity grounds, as the trees' natural form, good condition and appearance and their prominence and amenity value would be irreparably damaged.

Refusal is recommended.

RECOMMENDATION

Refuse, on the grounds that:

1. The proposed pollarding to 4.5 metres of this group of six protected Sycamore trees (part of Group G1 under the Worthing Tree Preservation Order No. 66 of 2001) would disfigure and damage the natural crown form, branch structure and appearance of the trees, which in view of the stature and the prominence of the trees from the surrounding area would be detrimental to the character and visual amenities of the area.

REASON FOR THE RECOMMENDATION: N/A

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

DELEGATED

Case Officer sign..... Date: 15th March 2011.....

Authorising Officer sign..... Date 17/3/2011.....