DELEGATED APPLICATIONS

PLANNING ASSESSMENT

APPLICATION No/ADDRESS

WB/09/0100/TPO – GlaxoSmithkline, Southdownview Way

DATE INSPECTED

5th March 2009

PROPOSAL AND THE SITE

Consent was granted on 16th February 2009 to crown lift the low growth and reduce the side growth by up to 20% on the southern side, to rebalance, and to clean out the crowns of the row of 32 Holm Oak trees along the northern perimeter of GlaxoSmithkline's site, Southdownview Way, to the south of Nos. 76 to 96 and 114 Clarendon Road. The trees form part of Group G2 under the Worthing Tree Preservation Order No. 44 of 1995. (WB/08/1227/TPO refers).

This application seeks consent to carry out similar works on the northern side of the trees, to rebalance, in addition to the works on the south side of the trees, previously submitted.

RELEVANT PLANNING HISTORY

Tree Preservation Order No. 44 of 1995 confirmed on 12th December 1995

CONSULTATIONS

The Borough Arboriculturist supports the application as made.

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.

RELEVANT PLANNING POLICIES

Saved West Sussex Structure Plan 2001 – 2016: Policies: CH1

PLANNING ASSESSMENT

The proposed works on the south side of this long line of trees have already been approved under application WB/08/1227/TPO.

The issues to consider are the effects of undertaking a similar extent of works on the northern side of the trees on the appearance and amenity value of the trees and, also, on their screening value between the adjoining residential properties in Clarendon Road and the GlaxoSmithkline industrial complex.

The reduction in the spread of the trees over the gardens of the adjoining properties, back to the boundary fence line, is considered acceptable. These works would remove the varying overhang over the adjoining properties in a sympathetic manner, without adversely affecting the trees' appearance or screening value.

Whereas the lower branches on the southern side of the trees are interfering with security, and a minor crown lift has been agreed under application WB/08/1227/TPO to deal with this, the lower branches on the northern side of the tree line form an important part of the trees' screening value to the adjoining properties.

It is considered that these lower branches should be retained, and merely reduced back to the fence line with the adjoining properties, as is proposed with the higher branches. In this way, the lower branches will not interfere with the adjoining properties' gardens and will retain the trees' screening value to their full height.

Subject to this restriction being imposed on any revised consent granted (which should combine the agreed works under WB/08/1227/TPO with the reduction of the spread of the trees on their northern side by approximately 20%, back to the boundary fence line, the application is considered acceptable is visual amenity and screening quality terms, and would protect the amenities of the occupiers of the adjoining dwellings.

On this basis, conditional consent is 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: 9th March 2009

Authorising Officer sig [redacted] Date