Development Control – Delegated Officer Report

Application Number: AWDM/0146/13 Recommendation – Approve

Site: 49 Southwick Street, Southwick BN42 4TH

Proposal: Section 211 Notice under the Town and Country Planning Act 1990 to prune back by 2 metres from neighbouring property to the south, one Holm Oak tree on south side of property (and within the Southwick Conservation Area)

Date of site visit**:** 13th February 2013

Neighbours checked: Y
Additional neighbour notifications: N
Site Notice (within Conservation Area): Y

Proposal, Site and Surroundings

This is a Notice under Section 211 of the Town and Country Planning Act 1990 of intention to prune back by 2 metres from neighbouring property to the south, one Holm Oak tree in the southern part of the grounds of 49 Southwick Street, Southwick, and within the Southwick Conservation Area.

Consultations

The Council's arboriculturist comments that the Holm Oak tree is in generally good health with no major signs of damage or decay. It is clearly visible from the road, and contributes to the character of the area. The request to reduce the southern aspect of the crown by up to 2 metres is due to branches overhanging the neighbouring property. Recommend the works be permitted.

Representations

None received.

Planning Assessment

The Holm Oak tree is a prominent, established feature of the site and of the Southwick Conservation Area which is in view of its stature, position and crown form as a large spreading, tall Evergreen Oak, with an estimated age of 70+ years, and as such it contributes significantly to the character and appearance of the area.

A Tree Preservation Order should be made to control works to a tree in a Conservation Area if in the opinion of the Local Planning Authority the proposed tree works are likely to have an adverse affect upon the character and appearance of the tree and of the Conservation Area. Conversely, where the proposed tree works would not be detrimental to the appearance of the area, the authority can confirm to the applicant that the works may go ahead, without the need for a Tree Preservation Order to control the works by application for consent.

The proposed works in this case would be minor pruning to the tree, on its southern side only, where it overhangs the neighbouring property to the south. These works in my view would not significantly or adversely affect the tree's overall crown form, appearance or amenity value, and are acceptable.

The applicant should be advised that the Council has no objection to the proposed tree works proceeding, and further, that it is not minded to protect the tree under a Tree Preservation Order on this occasion.

Recommendation

That the applicant be advised that the Council has no objection to the proposed works to the Holm Oak tree proceeding and further that the Council is not minded to protect the tree under a Tree Preservation Order on this occasion.

Case Officer: HBM Date: 13th March 2013

Authorised by: PD Date: 14.3.13