Development Management – Delegated Officer Report **Date; 18/09/18**

Application Number	**AWDM/1173/18**
Address	**Street Record Amelia Close Southwick West Sussex**
Proposal	**Application for consent under Adur Tree Preservation Order No. 13.53/2/15(SW) to reduce eastern side by up to 1m to one Holm Oak T2, reduce eastern and southern sides by up to 1m to one Holm Oak T3, reduce height and crown spread by up to 2m to one Acer T5 and to fell and replace one Acer T4.**

Date of site visit: 30/08/18

Neighbours checked: Y
Additional neighbour notifications: N
Site notice: (wider publicity / conservation area): N

Proposal, Site and Surroundings

The application refers to two Holm Oaks and two Sycamore trees in the frontage of the block of flats of Amelia Close Southwick. The trees are part of an established group of trees, which are part of the street scene and make a significant contribution to the character and visual amenities of the area and the nearby Southwick Conservation Area.

Consent is sought to reduce eastern side Holm Oak T2, reduce eastern and southern sides of Holm Oak T3, reduce height and radial spread of Acer T5 and to fell and replace one Acer T4.

The reasons for the works are primarily in the interests of abating nuisance, light issues and amenity value.

Consultations: None.

Representations: Three Representations have been received from nearby neighbours that each make objections to the proposed felling of the Acer tree T4. Some of the comments made are:

- Loss of valuable screening of the modern 3 storey block.
- Questionable amount of light loss due to proximity and time of day etc.
- Concern that other removals will be applied and also given consent if this proposal is agreed.
- The observation that T5 is actually closer to the main building, and the slightly larger of the two trees.
- Detailed history of the site was provided including previous applications regarding the trees of TPO 13.53/2/15(SW) showing resistance to the loss of any of the trees.

Relevant Planning History

2009: Demolition of care home and redevelopment to provide 9 flats (6 two-bedroom and 3 one-bedroom) and 5 houses (3 two-bedroom and 2 three-bedroom), 15 car and 25 bicycle parking spaces and associated landscaping, utilising enlarged existing access. Application Permitted.

2015: Adur Tree Preservation order Number 13.53/2/15(SW) of 2015 confirmed on 28/09/15.

2015: Application for consent under Adur Tree Preservation Order TPO 13.53-2-15(SW) of 2015 to remove back to suitable point nearest source the Western stem, reduce up to 5 to 6 metres to suitable point the northern stem, reduce radial spread by up to 2 to 3 metres, and crown lift up to 7 metres one Holm Oak tree T1

2015: Application for consent under Adur Tree Preservation Order No. TPO 13.53-2-15(SW) of 2015 to fell and replace one tree Holm Oak tree T2 and one Sycamore tree T4. Refused.

2017: Application for consent under Adur Tree Preservation Order 13.53/2/15(SW) to fell and replace one Holm Oak tree T1. Refused.

Planning Assessment

The trees are growing from the southwest corner of the grounds near Croft Avenue Rest Gardens, to the junction with Croft Avenue toward the south east. The trees were previously protected by the Planning Consent for the development Amelia Close, the Planning Statement submitted by the Developers at the time stated;

“The scheme has been assessed and it is considered that the new development will have little or no more impact on the trees than already exists with the current building.”

A request was received to carry out works to the two Acers, prior to a Tree Preservation Order being made in 2015. The trees are visible from many views around Southwick Street, Croft Avenue and the Public Open Space of Croft Avenue Rest Gardens, and make a significant contribution to the area.

The Holm Oak trees are both large tall matures that were previously a part of the Public Rest Gardens of Croft Avenue. The two Acer trees were part of the landscaping of the previous building: the Croft Rest Home. The trees are:

<u>Holm Oak T2</u>
This tree is located near the southwest corner of the main block. The tree is a mostly clear (with some epicormics) single stemmed tree to 12 metres where it then divides into two main stems. The tree has its first significant lateral emerging at 11 metres, on the east side extending toward the main building. The crown is very high and becomes denser and wider toward to the top.

<u>Holm Oak T3</u>
The Holm Oak tree T3 is growing adjacent to T2, being slightly further south of the two. The tree has a large diameter single stem that extends to 4 metres, where it then divides into two. The two stems are: a larger central stem that divides again at 8 metres, and a slightly smaller secondary stem that extends toward the southwest. There is evidence of a third stem on the tree having been removed or lost at an earlier stage. This has resulted in a deep but contained cavity.

The proposed works for both trees are to reduce radial spread by up to 1 metre. The work is to contain the size and spread of the trees and to maintain a clearance from the main building.

<u>Sycamore (Acer) T5</u>
The Sycamore tree T5 is to the west of tree T4. The tree is one of a pair of early mature Sycamore trees, which are of a similar size and shape, and have intertwined crowns. T5 has a single main stem that is angled toward the north east, with a defined lean, rather than the curved form of T4. The main stem persists to 7 metres, where it divides into two. There are signs of a large secondary stem / limb

at 2.25 metres that has been lost or removed. The mostly ascending scaffold limbs include a large, off of centre spire toward the north.

The proposed works are to reduce radial spread and crown height by up to 2 metres. These works are to allow clearance to the main building, and reshape the crown. The proposal appears to slightly over estimated on the radial spread and has been conditioned to 1 to 1.5 metres, retaining the integration with Acer T4.

Sycamore (Acer) T4
The Sycamore tree T4 is the further south of two Sycamores in the southeast part of the grounds of Amelia Close. The tree is to the west of the pair of early mature Sycamore trees. This tree has a single slightly curved stem that persists to 8 metres, where it then reduces in diameter. The first significant limbs emerge from 2.5 metres, and are mostly upright. The main crown is dense and moderately wide spread.

The concern for this tree is that it restricts light to some of the flats of block 1 to 9 Amelia Close, due to its density and proximity to the main building. Consent has previously been given to reduce both trees, which since re-grown. It is considered that as an alternative to felling consideration could be given to crown thin and crown lift both trees to allow more light to filter through and beneath the crowns.

The proposed works are to fell the tree. The issues of light can be addressed by other suitable arboricultural works and as there are no other compelling or overriding reasons given to remove this protected tree, it is recommended that this part of the application is Refused.

Recommendation

Grant Consent, subject to the following Conditions:

1. The proposed works to Holm Oak trees T2 and T3 hereby permitted, shall be restricted to those specified in the application only unless otherwise agreed in writing with the Local Planning Authority and carried out within two years from the date of consent and in accordance with the British Standard BS 3998: 2010 Tree Work.

   Reason: *In the interest of visual amenity.*

2 The proposed works to Acer tree T5 hereby permitted, shall be restricted to;

   i Reduction in crown height of up to 1 to 1.5 metres, 1.5 on the taller sections toward the north of the tree.

   ii Reduction in radial spread of up to 1 to 1.5 metres, retaining the integration of crowns with Acer tree T4.

   only unless otherwise agreed in writing with the Local Planning Authority and carried out within two years from the date of consent and in accordance with the British Standard BS 3998: 2010 Tree Work.

   Reason: *In the interest of visual amenity.*

REFUSE for the reason(s):-

1. The proposed felling of Acer tree T4 which is part of a cohesive pair of prominent trees, which are an established feature of the area. The loss of this tree would be detrimental to the character and visual amenities of the area. The issues of light can be addressed by other suitable works, and this is not an acceptable reason to fell a protected tree. Having regard to the maturity and stature of the tree and its prominence within the street scene it is recommended that the felling is refused.

Is recommendation contrary to letter(s) of representation?

No

Case Officer: JDS Date: 20/09/2018

Authorised by: PB Date: 21/9/18