Development Management – Delegated Officer Report **Date; 0789/04/20**

Application Number	**AWDM/0497/20**
Address	**61 West Street Shoreham-by-Sea West Sussex BN43 5WF**
Proposal	**Section 211 Notice under the Town and Country Planning Act 1990 to fell and replace one Oak tree in Shoreham Conservation Area.**

Date of site visit: 01/05/20

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

Proposal, Site and Surroundings

The application refers to a medium to large mature Oak near the centre of the northern boundary wall adjacent to the public footpath in the rear garden. The tree is a prominent part of the street scene and makes a significant contribution to the character and visual amenities of the Shoreham Conservation Area.

Consent is sought to fell the tree.

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

Consultations: Letters sent to Adur Conservation Area Advice Group, who commented that the tree would not be so intrusive if it had been pruned regularly throughout its life. The owner admits that to date no structural damage has occurred to the house thus far. It is unlikely to do so after all this time. The members unanimously agreed that the application should be refused.

Representations: None received.

Relevant Planning History

1971: The property is within the Shoreham-by-Sea Conservation Area designated under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 by the Adur District Council on 23rd November 1993. ***this charge includes properties within the previously made Shoreham Conservation Area designated May 1971.

2016: Section 211 Notice under the Town and Country Planning Act 1990 to reduce radial spread by 1.5 to 2 metres and crown lift up to 5 metres one Oak tree T1 in the Shoreham Conservation Area.

2020: Adur District Council TPO No.1 of 2020 61 West Street Shoreham-by-Sea West Sussex BN43 5WF provisionally made 27/04/2020.

Planning Assessment

The tree is a medium sized mature growing in the rear garden. It is a part of the street scene and make a significant contribution to the character and visual amenities of the Shoreham Conservation

Area. The tree is clearly visible from the public footpath that connects West Street to Victoria Road. The tree has a mostly clear single stem to 5 metres, where it then divides into two widely spaced main stems. The southeast stem remains upright whilst the north side stem is more lateral. Both stems divide again at 7 metres forming a wide dense crown. The perimeter of the crown is close to the western wall of 61 West Street and neighbouring properties.

The proposed works are to fell and replace the tree, claiming it creates excessive shade, and leaf fall, is “too” big for the location, and that it might damage the garden wall, and house foundations.

As with any tree ownership there will be shade in the summer and leaf litter and other debris. These concerns can and have previously been addressed by selective pruning and general tree maintenance. It is considered important to the visual amenity and character of the Shoreham Conservation Area that this tree is protected, and retained. Therefore a Tree Preservation Order was provisionally made on the 27th April 2020.

Therefore it is recommended that the proposal is refused.

REFUSE for the reason(s):-

1. The Oak tree T1 is a prominent and established feature, which contributes positively to local character and landscape of the Shoreham Conservation Area. Having regard to the maturity and stature of the tree and its prominence within the street scene, its removal would be detrimental to the visual amenities of the area.

Is recommendation contrary to letter(s) of representation?

No

Case Officer: JDS Date: 01/05/2020

Authorised by: PB Date: 1/5/20