

Application Number: BH2009/01030 **Ward:** Withdean

Address: 2a Croft Road, Brighton

Proposal: To fell 1 x Ilex aquifolium, 1 x Fagus sylvatica, 1 x Acer pseudoplatanus, all covered by Tree Preservation Order (No. 23) 2004 (Area Order).

Officer: Di Morgan, tel. 01273 292929

Date Received: 29 April 2009

Applicant: Mrs Susie Coelho

1 Introduction

1.1 The purpose of the report is to consider the above application.

2 Recommendation

2.1 That the Sub-Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 7 of this report and resolves to grant consent subject to the following conditions:

- The felling shall be carried out within two years under the supervision and to the satisfaction of the Local Planning Authority.
- The said existing trees shall be replaced by a tree of a size and species and in a position to be agreed by the Local Planning Authority.
- The replacement trees shall be planted during the period November to March next, following the felling of the existing tree, and such planting shall be in all respects to the satisfaction of the Local Planning Authority.
- If, within a period of two years from the date of the planting, the trees (or any other trees planted in replacement for it) is removed, uprooted or destroyed or dies, another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gives its written consent.

3 Description of the Application Site

- 3.1 This property is part of a new development situated in Croft Road, however, the development site was on the corner of Croft Road and Colebrook Road. The property has several trees in both the back and front gardens.

4 Proposal

- 4.1 The applicant wishes to fell the Sycamore as it is growing into the Yews (also protected).
- 4.2 The applicant wishes to fell the holly as its leaves are causing health and safety problems for children using the garden.
- 4.3 The applicant wishes to fell the Beech as the crown is growing too close to the house.

5 Relevant Planning History

- 5.1 The application before the Committee now is the exact copy of BH2008/02516. This application was refused by the Committee. The applicant did not appeal at that time, a decision which she now regrets. Should the current application be refused too, she now understands she has to appeal within 28 days.

6 Considerations

- 6.1 The *Ilex aquifolium* is approximately 4 metres in height with a crown spread of 2 metres. It has 3 stems and the crown of the tree starts at a height of 1.5 metres. At the time of the inspecting officer's visit, there were no visible defects that gave cause for concern. The tree may, in time, cause damage to the wooden boundary fence. It is situated in a small soil border in the rear garden, and its small stature means it has absolutely no public amenity value.
- 6.2 The *Fagus sylvatica* is approximately 6 – 7 metres in height with a crown spread of 4 – 5 metres. It is a juvenile / semi-mature tree that has had no formative pruning. Crown break is at 3 metres. It is situated in a shrub border in the rear garden, 3 metres from the decking and 6 metres from the property itself. At the time of the inspecting officer's visit, there were no visible defects that gave cause for concern. Its small stature means it has no public amenity value. Its close proximity to the property means that it will be under constant pressure in the future for pruning away from the property.
- 6.3 The *Acer pseudoplatanus* is one of 6 semi-mature/mature trees in the front garden of the property. This specimen is approximately 12 metres in height with a crown spread of 4 metres. It is situated in a wooded area 7 – 8 metres from the property very close to the front boundary of the garden. It has been suppressed by the nearest Yew, which is 1 metre away from it. At the time of the inspecting officer's visit, there were no visible defects that gave cause for concern. The applicant wishes

to retain the 4 Yews and 1 Elm in the front garden and remove this Sycamore. The front garden will therefore still have good tree cover. The close proximity of the remaining trees means that the impact of its loss will be minimal.

6.4 No loss or damage is likely to occur if felling of the above trees is refused.

7 Conclusion

7.1 The trees the subject of this application have little or no public amenity value and therefore the impact of their loss will be negligible.

BH2009/01030
2a Croft Road
Ilex aquifolium
(Tree A)



BH2009/01030
2a Croft Road
Fagus sylvatica
(Tree B)



The tree the subject of this application.

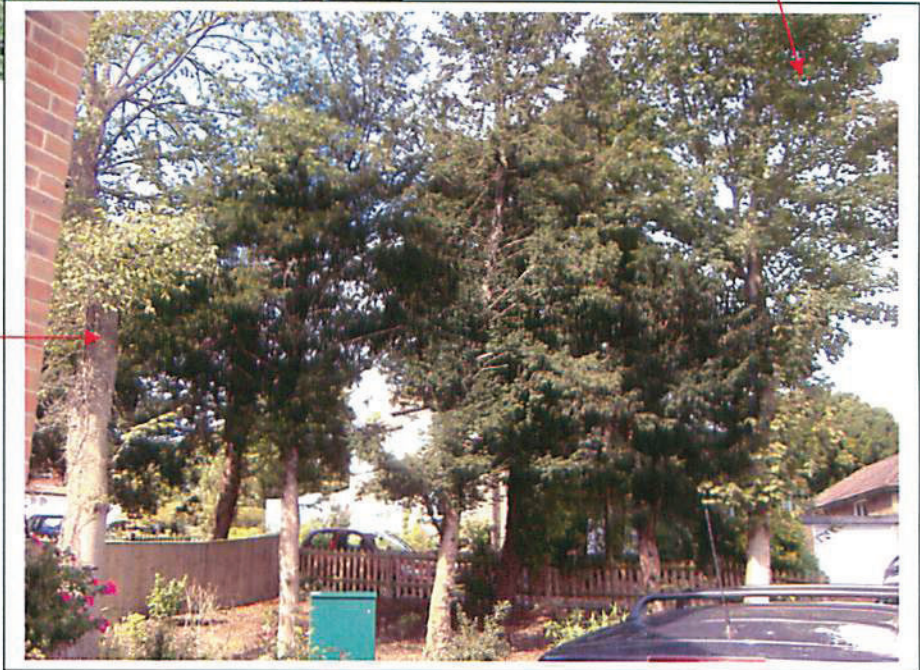


BH2009/01030
2a Croft Road
Acer pseudoplatanus
(Tree C)

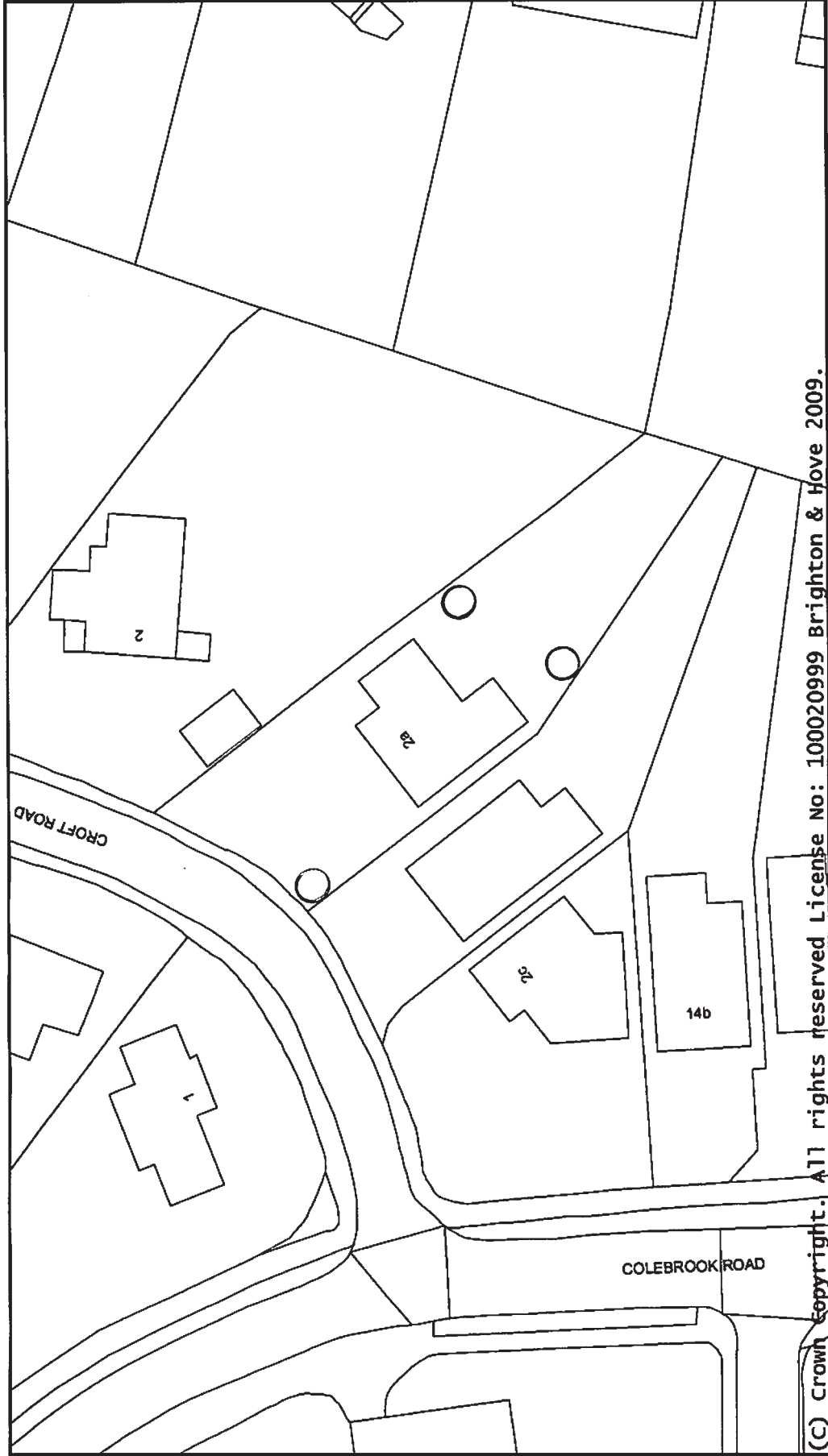


The tree the subject of this application.

Five remaining mature trees in front garden, including one Elm.



BH2009/01030: 2a Croft Road



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