

Application Number: BH2010/03951 **Ward:** Goldsmid
Address: 21 Lansdowne Road, Hove
Proposal: To fell 1 x Quercus ilex (Holm Oak)
covered by Tree Preservation Order (No 10) 2009
Officer: Di Morgan, tel. 01273 292929
Date Received: 17 December 2010
Applicant: OCA Ltd

1 Introduction

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

2 Recommendation

2.1 That the 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 tree 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 tree 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 tree (or any other tree 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 The mature tree the subject of this application is situated in the front gardens of 21 Lansdowne Road, Hove. At its closest point, it is approximately 5 metres from the property.

4 Proposal

- 4.1 The applicant wishes to fell this tree as an engineering report from Cunningham Lindsey on behalf of OCA UK Ltd proves beyond reasonable doubt that the Holm Oak is causing subsidence and continued damage to the house.
- 4.2 The above-mentioned report has identified roots from the Holm Oak under the property where subsidence is occurring. The property is founded on very silty clay to a depth of at least 2 metres. The roots from the Holm Oak will continue to cause drying shrinkage of the clay soil on a cyclical basis.
- 4.3 The damage consists of fracturing of up to 2 mm in the external masonry and internal plasterwork at first floor level. The pattern of cracks suggests a downward rotational movement to the right hand side. The indicated mechanism of movement is downward and outward toward the front and right – toward the Holm Oak.
- 4.4 Given the proximity of the tree and the presence of clay subsoil, the movement will be of a cyclical nature with cracks opening in the summer and closing in winter, causing further progressive cracking if the tree remains in place.
- 4.5 Analysis of the roots found under the property in the vicinity of the damage confirms they are from the Holm Oak.

5 Considerations

- 5.1 The tree the subject of this application is a fine specimen, approximately 12 metres high with a crown spread of 8 - 10 metres.
- 5.2 A reduction in the size of the tree will not reduce the future risk.
- 5.6 It is highly visible from the public footpath and road.

6 Relevant Planning History

- 6.1 None.

7 Conclusion

- 7.1 This tree is situated in a built-up area and is highly visible from the road and pavement. It has high public amenity value.
- 7.2 The report from Cunningham Lindsey Subsidence Services proves beyond reasonable doubt that the Holm Oak is abstracting moisture from the clay soil and thus causing the subsidence and damage to the property.
- 7.3 It is felt that permission to fell this tree should be given at this time and a suitable replacement be planted within the grounds of 21 Lansdowne Road.

BH2010/03951: 21 Lansdowne Road, Hove



Town & Country Planning (Tree Preservation) (No 10) Order 2009



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**Brighton & Hove
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Head of City Infrastructure

