

Application Number: BH2010/01715 **Ward:** Regency
Address: Sillwood Place, Brighton
Proposal: To fell 1 x Acer pseudoplatanus (Sycamore)
covered by Tree Preservation Order (No 3) 1974
Officer: Di Morgan, tel. 01273 292929
Date Received: 2 June 2010
Applicant: Ms Shan Lancaster, Sillwood Place Trust

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 car park area of Sillwood Place. The tree is hard against a boundary wall with a small block of flats immediately the other side of the wall, approximately 2 metres away.

4 Proposal

- 4.1 The applicant wishes to fell this tree as they feel it is presenting a hazard and is in very bad health. It is growing hard against the western wall of the car park area. It is leaning and dying back, there are dead branches they fear will fall on people or cars below.
- 4.2 They state this was a random sycamore sapling, not a planned tree and they do not plan to replace it. They state it is not subject to a TPO but is in a conservation area.

5 Considerations

- 5.1 The tree the subject of this application is approximately 9 – 10 metres high with a crown spread of 7 – 8 metres.
- 5.2 It has a lean of approximately 20 degrees coming out over the car park.
- 5.3 It is hard against a west facing wall with a small block of flats behind it approximately 2 metres away. The car park appears to have been relaid in the vicinity of the tree. This is a harsh environment for the tree.
- 5.4 This harsh environment has obviously affected the roots of the tree and this is now reflected in the crown. The tree has a sparse canopy with excessive deadwood and is in decline.
- 5.5 Despite the applicant's statement regarding the tree in para 4.2 above, this tree is Tree Number T.8 marked on the above Tree Preservation Order.
- 5.6 It is highly visible from the public footpath and road.

6 Relevant Planning History

- 6.1 BH2006/04123 gave permission to fell 2 sycamores covered by this Tree Preservation Order. Again, they were in the line of trees along this boundary wall and the report mentions their decline could be attributed to severe root restriction in the car park area.

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 tree is dying back with excessive deadwood. However, permission is not needed to remove deadwood and the applicant can do this with no need to contact the Council.

- 7.3 Given the harsh location of this tree, it is the professional opinion of the inspecting officer that this tree will continue to decline even if para 7.2 is complied with.
- 7.4 It is felt that permission to fell this tree should be given at this time and despite the applicant's request to not plant a replacement tree, there is space in the car park for another specimen to be planted in a more appropriate position that would assist the replacement tree in becoming established.

BH2010/01715: Sillwood Place, Brighton



Text1



**BRIGHTON & HOVE CITY COUNCIL
TOWN & COUNTRY PLANNING ACT 1990**

TOWN & COUNTRY PLANNING (TREE PRESERVATION) (No 3) ORDER 1974

APP. No. BH2010 / 01715

ADDRESS: Sillwood Place
Brighton.



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J. Rowlands
Director of Environment

