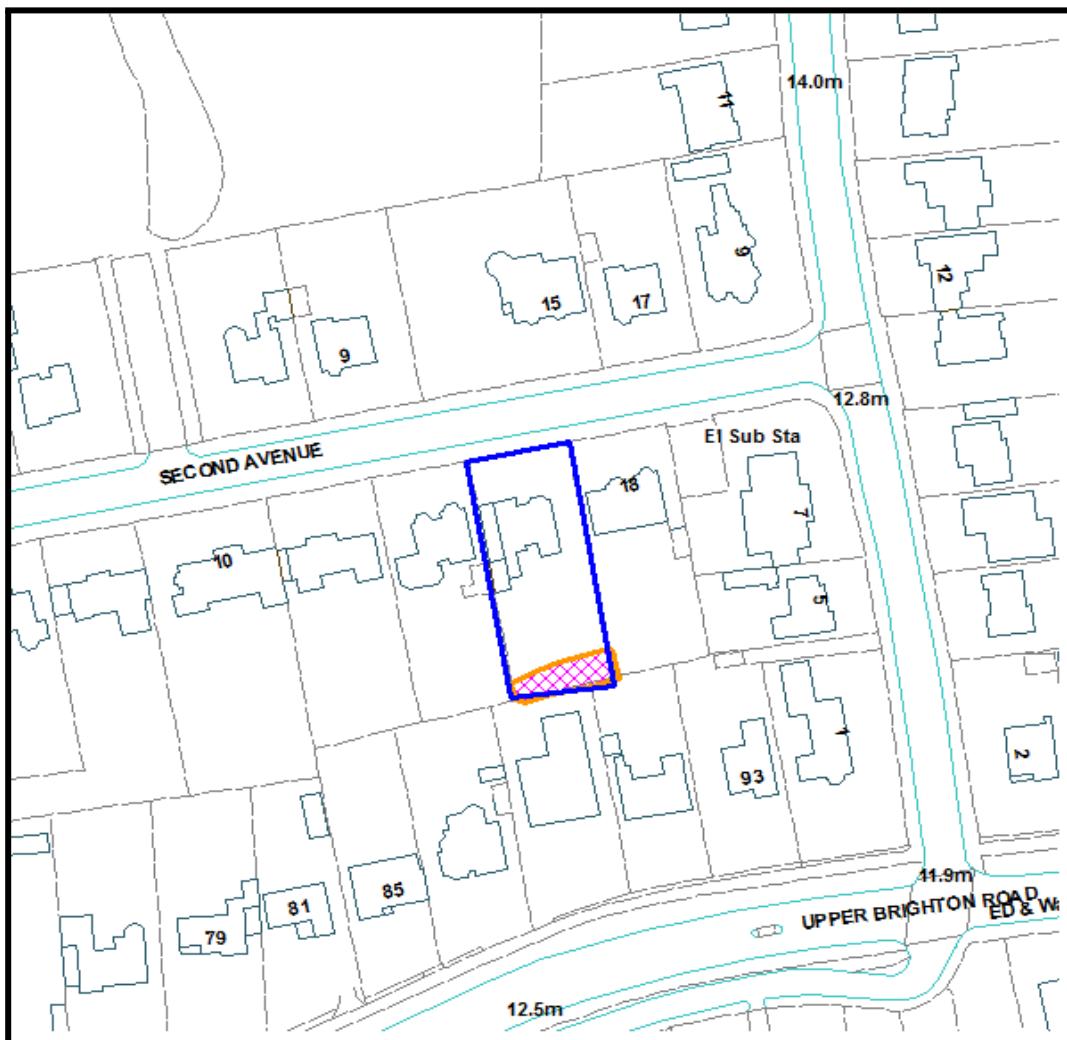


|                            |  |                                 |
|----------------------------|--|---------------------------------|
| <b>Application Number:</b> | <b>TPO 3 of 2022</b>                                     | <b>Recommendation - Approve</b> |
| <b>Site:</b>               | <b>16 Second Avenue Worthing BN14 9NX</b>                |                                 |
| <b>Proposal:</b>           | <b>Confirmation of Tree Preservation Order 3 of 2022</b> |                                 |
| Applicant:                 | Worthing Borough Council                                 | Ward: Offington                 |
| Agent:                     | N/a  |                                 |
| Case Officer:              | Jeremy Sergeant  |                                 |



**Not to Scale**

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### **Proposal, Site and Surroundings**

On the 10th May 2022 a provisional Tree Preservation Order was placed on a group of five Leyland Cypress trees in the rear garden of 16 Second Avenue. The

order was made following suggestions from neighbours that the trees should be cut back to the boundary line of properties in Upper Brighton Road. So as to retain the shape and appearance of the trees and have further control of any works that may be requested in the future the TPO being served.

### **Relevant Planning History**

2022: AWDM/0815/22 - APPLICATION FOR CONSENT UNDER WORTHING TREE PRESERVATION ORDER NO. 3 OF 2022 TO REDUCE RADIAL SPREAD TO BOUNDARY LINE FIVE LEYLAND CYPRESS TREES OF GROUP G1, which was given consent with conditions on 18th July 2022.

### **Consultations**

None

### **Representations**

Three objections to the Confirmation of the Order have been received on the following grounds:

- These trees are currently not maintained in a good condition which would make them an amenity.
- These trees are not controlled/pruned/maintained as should happen with anything considered an amenity.
- We are very concerned that due to poor conditions, the large tree in the corner nearest us will be brought down on a windy day and cause severe damage to our property including our residential home.
- The enjoyment of our property is affected by the restriction of Light, caused by these trees.
- If you feel there is a necessity for the TPO to go ahead I would ask that you look at the trees to agree to work that requires to be carried out immediately for the safety of the property surrounding them.

### **Relevant Planning Policies and Guidance**

Worthing Core Strategy (2011):

National Planning Policy Framework

Circular 04/07 'Tree Preservation Orders: A Guide to the Law and Good Practice' (DETR 2000)

### **Planning Assessment**

The objections are noted carefully but a Tree Preservation Order will not prevent works from being carried out, but instead ensure that the works are appropriate and not damaging to the trees. Consent has been given to reduce the radial spread of

the trees to the southern side and works to remove dead or damaged branches do not require an application.

The Tree Preservation Order is therefore considered necessary to ensure that any future works can be considered and if needed amended by the Local Planning Authority. The representations refer to there being some defects, such as damage and dead hanging branches within the crown of the oldest tree on the eastern end of the group, and suggests that this tree is diseased. Although on inspection some dead branches were found to be present, there was no suggestion that the trees are unstable or diseased. It is also argued that the trees are not fully visible from the public road, and therefore not worthy of being protected. It is less common to place TPOs on trees in rear gardens, normally because they have less public views, however in this case the trees are visible between the properties from Second Avenue and from the Upper Brighton Road, where they provide a backdrop to the surrounding properties.



TPO 3 of 2022 16 Second Avenue Cypress G1 from NE



11/7/2022

TPO 3 of 2022 16 Second Avenue Cypress of G1 from A27 Upper Shoreham Road

The Tree Preservation Order is to ensure that any further works can be controlled by the Local Planning Authority. It is considered in the interests of the local amenity that it is recommended that the TPO is confirmed.

#### **Recommendation**

**That Worthing Tree Preservation Order Number 3 of 2022 be confirmed as made.**