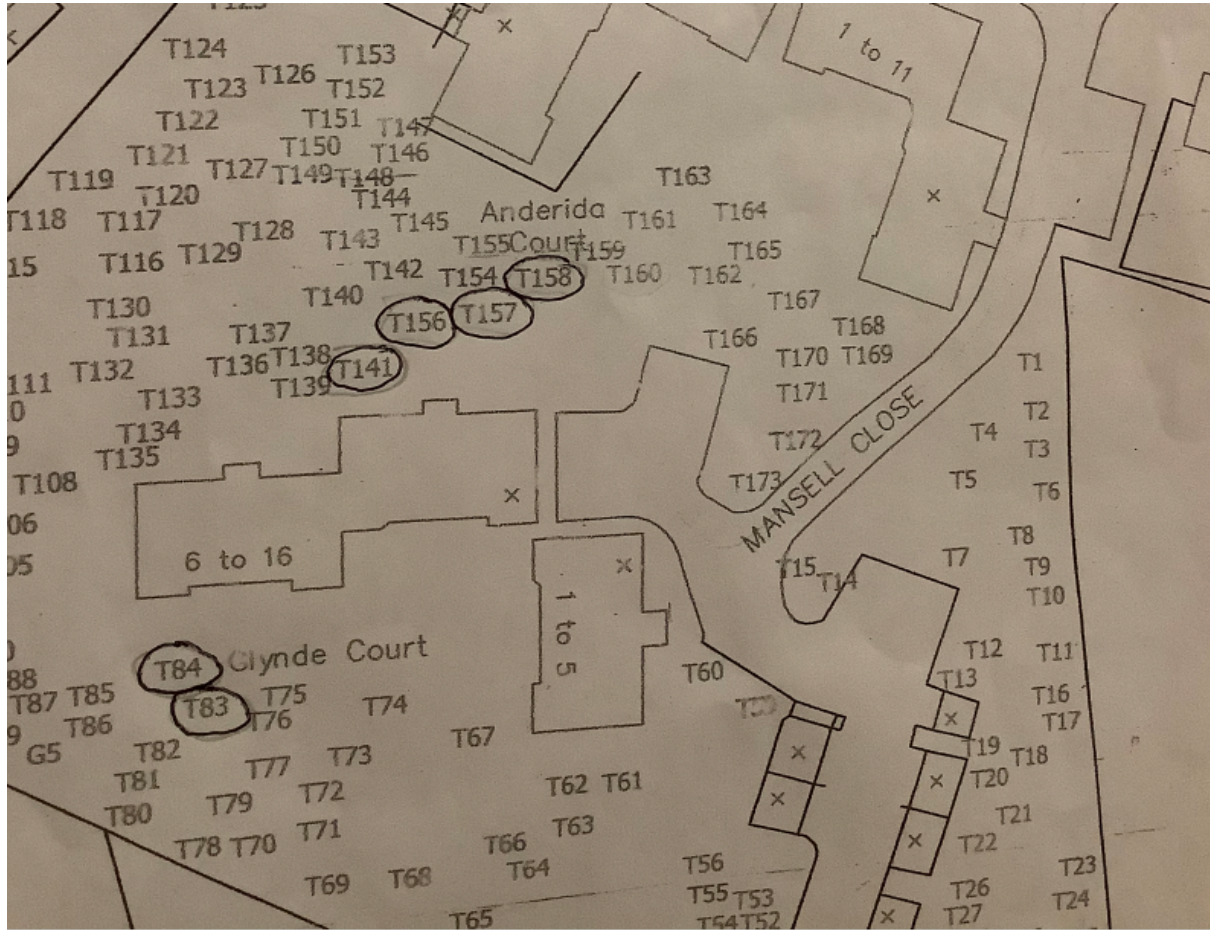


SITE PLAN

BEXHILL

RR/2023/57/T

7 Anderida Court
Mansell Close



Rother District Council

Report to - Planning Committee
Date - 13 April 2023
Report of the - Director – Place and Climate Change
Subject - Application RR/2023/57/T
Address - Anderida Court, Glynde Court, Worsham Court, Mansell Close
BEXHILL
Proposal - Works to Tree Preservation Order trees.

[View application/correspondence](#)

RECOMMENDATION: It be recommended to **OBJECT IN PART**

Director: Ben Hook

Applicant: Mr J. Langlands
Agent: N/A
Case Officer: Mr Ruben Hayward
(Email: ruben.hayward@rother.gov.uk)

Ward: BEXHILL ST MARKS
Ward Members: Councillors S.J. Errington and K.M. Harmer

Reason for Committee consideration: Applicant related to Councillor.

Statutory 8-week date: 3 March 2023
Extension of time agreed to: No date agreed

This application was deferred from the previous committee in March for a site visit with the tree officer present, to assess the condition of the Scotts Pines and to see each tree in person.

1.0 SUMMARY

1.1 The application seeks to request consent for works to Tree Preservation Order (TPO) protected trees in the vicinity of Anderida Court, Mansell Close. The Rother Tree Officer has been consulted on the proposals and raised objections to some of the works.

2.0 SITE

2.1 Anderida Court is an apartment complex on the western side of Mansell Close. The application also relates to Worsham Court to the north, and

Glynde Court to the south, all of which are under the same management company. The grounds within the complex are characterised by the dense mixture of mature trees, which are visible from various vantage points throughout the local area.

- 2.2 The following trees are proposed to have works undertaken:
- T83 and T84, south of Glynde Court.
 - T141, T156, T157 and T160, between Glynde Court and Anderida Court.
 - T180, T181 and T183, south of Worsham Court.

3.0 PROPOSAL

- 3.1 Works are proposed to each tree named in this application as follows:
- 3.2 T180 and T181, Scotts Pines – to be removed. These trees are close to a habitable building and car port. Their complete removal is requested as they are very tall and starting to show signs of root upheaval in the car parking area and on the adjacent footpath.
- 3.3 T183, Ornamental Oak – reduce height by 25% and cut back overhanging branches. Also close to a habitable building.
- 3.4 T141, T156, T157 and T160, Oaks – reduce height by 25% and cut back overhanging branches. These trees are overhanging a footpath.
- 3.5 T83 and T84, Oaks – reduce height by 25% and cut back overhanging branches.
- 3.6 New trees to be planted to mitigate the loss of T180 and T181.

4.0 HISTORY

- 4.1 RR/2021/2938/T T183 (Oak) remove or reduce branch, reduce crown by 25%, T175 (Blackthorn) remove, T176 remove low overhanging branch, T144, T145, T147, T148, T149, T150, T151, T152, reduce crowns by 25%, T146 (Oak) reduce by 25%, T154 (oak) reduce by 30%, T155 (Silver Birch) reduce by 30%. NO OBJECTION
- 4.2 RR/2020/1545/T Works to trees T163 Oak, T161 Oak, T164 Birch, T165 Birch, T158 Oak and T159 Oak. OBJECT IN PART
- 4.3 RR/2019/2783/T Removal of Pine (T177). Pollard group of Willow trees (G4) including the removal of leaning Willow tree. NO OBJECTION
- 4.4 RR/2019/1395/T T181 - Scots pine - Take back three main lower branches and 1 smaller branch. NO OBJECTION
- 4.5 RR/2017/843/T Proposed works to nine trees of various species. NO OBJECTION

- 4.6 RR/2014/2749/T Works to trees. OBJECT IN PART
- 4.7 RR/2009/371/T General pollarding coppice and crown reduction of trees. NO OBJECTION
- 4.8 RR/2006/2366/T Removal of limbs and crown raising of Pinus Silvestris. NO OBJECTION
- 4.9 RR/2005/2179/T Reduce lateral branches towards building of one oak tree and remove to ground level two silver birches. NO OBJECTION
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5.0 POLICIES

- 5.1 When assessing applications for works to TPO trees, the Local Planning Authority is advised to:
- assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area;
 - consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it;
 - consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;
 - consider whether any requirements apply in regard to protected species;
 - consider other material considerations, including development plan policies where relevant; and
 - ensure that appropriate expertise informs its decision.
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6.0 CONSULTATIONS

6.1 Planning Notice

6.1.1 No comments.

6.2 Bexhill-on-Sea Town Council

6.2.1 No comments.

6.3 Rother Tree Officer

6.3.1 "T180 & T181. These large pine trees are beginning to cause damage to the car park surface and this damage is likely to increase. Rother District Council could be liable for a claim for damage if permission to remove these trees is refused. Therefore, there is no objection to these trees being removed and replacements planted elsewhere on site. Two Carpinus Betulus or similar substantial native trees would be suitable.

T183. Oak close to building. Pruning to reduce the canopy size of this tree by up to 2m would maintain this tree at a suitable size for its location. No objection to crown reduction by up to 2m.

T141, T156, T157 and T160. No objection to reducing the canopy of these trees by up to 2m. There are several lower branches which could be reduced. The extent of proposed pruning of overhanging branches is unspecified. There would be no objection to the pruning of three branches as shown on the attachment.

T83. No objection to reducing the canopy of the tree by up to 2m.

T84. This tree has previously been heavily pruned and further pruning would not be desirable. Objection.”

7.0 APPRAISAL

- 7.1 The grounds surrounding the complex of flats consisting of Anderida, Glynde and Worsham Court features over 200 TPO protected trees. The grounds of the apartments are characterised by the extensive tree coverage that provide a significant level of privacy and contribute to the character of the locality. This group of trees are among some of the most elevated within the locality and can be seen from various locations within Little Common village. It is apparent that the trees hold significant amenity value and that any works carried out should be carefully assessed.
- 7.2 T180 and T181 are currently considered to pose a risk to public safety and the integrity of Worsham Court. The trees are in a poor condition, showing signs of root upheaval which could cause damage to the nearby car park, footpaths and buildings. Whilst the amenity value of these trees is not insignificant, this would not outweigh the public safety need to remove these trees. Replacement trees would be a condition of their removal, to ensure that the amenity and environmental value of the trees can be restored. *Carpinus Betulus* would be an appropriate replacement.
- 7.3 T183 is also situated close to Worsham Court. A crown reduction of up to 2m would be appropriate and would maintain the tree at a suitable size for the location. Little amenity value would be lost and therefore the pruning is not objected to.
- 7.4 T141, T156, T157 and T160 are currently overhanging the footpaths and car park area that serve Glynde Court. The reduction of the canopies of these trees by up to 2m would not be objected to because the amenity value of the trees would still be retained. Proposed pruning to overhanging branches was not specified, however the tree officer has highlighted three branches that would not be objected to if they were to be pruned.
- 7.5 T83 lies to the south of Glynde Court and is the most elevated tree within this application. There would be no objection to a reduction of the canopy by 2m. The tree is surrounded by other mature trees and the pruning of T83 would not significantly detract from the amenity of the landscape.
- 7.6 T84 lies to the south of Glynde Court and immediately north of T83. The tree has been heavily pruned recently and it is considered that further pruning would not be desirable. This tree is the most immediately visible tree from the south-facing windows of 12-16 Glynde Court and it would not be appropriate to further reduce the scope of this tree.

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 It is considered that works can be carried out to T83, T141, T156, T157, T160 and T183. A detailed schedule of works will be outlined below.
- 8.2 It is considered that T180 and T181 can be removed, provided that replacement trees are planted. This will be a condition of this part-approval.
- 8.3 It is considered that the pruning of T84 would not be appropriate due to the recent pruning of this tree. This element of the application cannot be supported.
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RECOMMENDATION: OBJECT IN PART to works to Tree Preservation Order trees at Anderida Court, Glynde Court and Worsham Court, Mansell Close, Bexhill

REFUSE CONSENT for:

- T84 (Oak) – reduction by 25% and cut back of overhanging branches.

GRANT CONSENT for:

- T180 and T181 (Scotts Pines) – removal and replacement with 2 No. similar substantial native trees within the site.
 - T141, T156, T157 and T160 (Oaks) – reduction of the canopies by up to 2m, and additional pruning of 3 No. overhanging branches, as highlighted in a document submitted by the Rother Tree Officer.
 - T83 (Oak) – reduction of the canopy by up to 2m.
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CONDITIONS:

1. This partial consent is valid for two years beginning with the date of its grant and the works for which such consent is granted may only be carried out once, in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works shall be carried out in accordance with BS3998:2010 Recommendations for Tree work.
3. All trees recommended for tree surgery works will need to be checked for the presence of bats or nesting birds prior to works commencing. Disturbance to bats or nesting birds could contravene the Wildlife and Countryside Act 1981.
4. The removal of T180 and T181 is approved subject to 2 No. substantial native trees being planted elsewhere within the site.