

AB/158/06/TC**TREES IN A CONSERVATION AREA REPORT**

DESCRIPTION/ ADDRESS	- Fell 1 No. Silver Birch tree within the Arundel Conservation Area 13 King Street, Arundel
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Site area approximately 258m ²
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Slopes gradually downwards from north-east to south-west.
TREES	The subject tree affected is located in the rear garden of the site and measures approximately 17m in height. It appears to be dead.
BOUNDARY TREATMENT	The northern side boundary, to which the tree is closest, is formed by a high fence. Given the tree's height, it is clearly visible from the neighbouring rear gardens.
SITE CHARACTERISTICS	Large two storey terrace dwelling with very deep rear garden. The location of the subject tree is such that it is visible from the neighbouring rear gardens but not from the public realm. The site is heavily treed at the rear.
CHARACTER OF LOCALITY	Hilly residential area characterised by large terraced dwellings set in attractive streetscapes.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Arundel Parish Council	Awaited
West Sussex Wildlife Protection	No felling unless dead or dangerous
Others	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council Arboricultural Officer	No objection as tree cannot be seen from the road and is therefore not considered to be of any amenity value.
Conservation Area Advisory Committee	No objection

POLICY CONTEXT

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DESIGNATION APPLICABLE TO SITE

Within Built-up Area Boundary
Setting of Arundel – Policy Area 3

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1, CH4
Arun District Local Plan : GEN7, GEN28, AREA3

PLANNING POLICY GUIDANCE

PPS1 – Delivering Sustainable Development
PPG15 – Planning and the Historic Environment
Circular 36/78 DETR TPOs : A Guide to the Law & Good Practice

POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPOs, are not specific to trees.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

Noted. The tree appears to be dead and contains no hollows appropriate for wildlife habitat and as such is considered appropriate for removal. Additionally, the District Arboriculturist has offered no objection to the removal of the tree.

ASSESSMENT OF PROPOSAL**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 211(1) of the Town and Country Planning Act 1990 states:-

"Subject to the provision of this section and Section 212, any person who, in relation to a tree to which this section applies, does any act which might by virtue of Section 198(3)(a) be prohibited by a Tree Preservation Order shall be guilty of an offence."

It is a defence to have provided notification to the Local Planning Authority 6 weeks in advance of any works. This is to enable the Local Planning Authority time to consider making a Tree Preservation Order.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The subject tree is not considered to significantly contribute to the visual amenity of the Conversation Area as it is concealed from public view due to its location deep into the site, and also appears to be dead. For these reasons it is recommended that no Tree Preservation Order be made and works should proceed as proposed.



ARUNDEL

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Arundel Conservation Area)**

**13 King Street
Arundel**

RECOMMENDATION

No Objection
