

NOTIFICATION OF WORKS TO TREES IN A CONSERVATION AREA REPORT**REF NO:** AB/26/11/TC**LOCATION:** Pear Tree Cottage
5 Surrey Street
Arundel**PROPOSAL:** Fell one Ilex Acquifolium (Holly tree) and one Taxus Baccata (Yew) within the Arundel Conservation Area.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	There are a number of medium sized trees towards the rear of the site.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	The site is occupied by a detached two-storey dwelling which has a single-storey extension to the side. The building is set back behind the dwellings that line Surrey Street. There is a fairly spacious amenity area to the rear of the dwelling.
CHARACTER OF LOCALITY	The site is located within Arundel Conservation Area which is characterised by terraces of two and three-storey dwellings which face directly onto the pavement providing an intimate urban feel. Landscaping is generally confined to rear gardens although there are occasional large specimen trees alongside the road.

RELEVANT SITE HISTORY

AB/121/10/TC	Reduce height of 1 No Bay tree by 50%; remove low branches to 1 No Yew tree; pollard to a height of 3m to 1 No Sycamore tree and remove overhang by 2m to 2 No Yew trees and 1 No Holly tree within the Arundel Conservation Area	No Objection 29-11-2010
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REPRESENTATIONS**Representations received:**
Arundel Town Council

None.

One letter of objection.

No felling due to nesting birds.

Comments on Representations received:

Noted. Informatives will be added to the decision notice making the applicant aware of the responsibility to protect nesting birds as set out in the 1981 Wildlife and Countryside Act and the consequences of contravening it.

CONSULTATIONS

Council's Arboriculturalist

Conservation Area Advisory Com

Consultations responses received:

Council's Arboriculturalist:

Awaited.

Conservation Area Advisory Committee:

No objection.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

Within Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [AREA2](#) Conservation Areas

PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

XXX1	Circular 36/78
XXX2	DETR TPO's A guide to Law and Good Practice

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character and appearance of the Conservation Area.

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 site is in a secluded position, to the rear of the terraces of buildings that line Surrey Street and are a prominent feature within the Conservation Area and a key contributor towards its intimate urban appearance.

The trees in question are in a position close to the existing dwelling and are not of any great stature or visual quality. It is not considered that they serve any significant purpose in defining the valued character and appearance of the Conservation Area and, therefore, they are not considered to possess any amenity value that would render them worthy of Tree Preservation Order status.

It is therefore recommended that no such order be made and that no objections are raised towards the proposed works.

RECOMMENDATION

NO OBJECTION