

APPLICATION REF: AB/2/07/TC**TREES IN A CONSERVATION AREA REPORT**

DESCRIPTION/ ADDRESS	- Fell 1 no. Bay tree, 1 no. Holly tree and group of Leylandii trees (approximately 9 in total) within the Arundel Conservation Area, Surrey House, 60 Maltravers Street, Arundel.
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 0.12 hectare.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Property is on a higher level from Maltravers Street and garden rises to the north.
TREES	Many species within the site.
BOUNDARY TREATMENT	Front south boundary has wall + hedging approximately 4m in height, rear north boundary has side elevation of property 9 King Street and wall approximately 3m in height, east side boundary fronting King Street has wall + hedging approximately 2m-2.5m in height, west side boundary has hedging/tree screening 2m-4m in height.
SITE CHARACTERISTICS	Grade II Listed Building. Large detached two storey property with wooden addition on west side elevation. The walls are stuccoed painted white with flint to rear. Window frames are painted green with green shutters on front elevation and a grey slate roof. Lower level are the former stables that have been converted to a garage with ancillary accommodation.
CHARACTER OF LOCALITY	Within the Arundel Conservation Area. Residential area with detached and terraced properties, single dwelling house to the front of the former stables.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
AB/72/06/TC	Fell 5 Elm trees within the Arundel Conservation Area.	No Objection 30-06-2006.

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Arundel Town Council	The Council has no objection to this application providing the Arboricultural Officer approves of the re-planting scheme.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Conservation Area Advisory Committee	No comment.
Council's Arboriculturist	The Bay and Holly tree are blocking out anything else that is growing

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	near or under them. The Leylandii trees are sited in an inappropriate position and if left will grow completely out of proportion and probably threaten the adjoining wall.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-Up Area Boundary Grade II Listed Building Within the Arundel Conservation Area Class C Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, CH4 Arun District Local Plan : GEN7, AREA2
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PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development Circular 36/78 DETR TPO's A Guide to the Law & Good Practice
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POLICY COMMENTARY

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

COMMENT ON CONSULTATION RESPONSES

Noted and agreed.

COMMENT ON REPRESENTATIONS RECEIVED

Noted.

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

<p>Section 211(1) of the Town and Country Planning Act 1990 states:-</p> <p><i>"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."</i></p> <p>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.</p>

OTHER MATERIAL CONSIDERATIONS

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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 group of Leylandii trees, Bay and Holly tree are located in the north west corner of the rear garden and are not readily visible from the front of the site in Maltravers Street.

The Bay and Holly tree have been there for many years and have grown up considerably and are blocking out anything else that is growing under or around them. The group of Leylandii trees are in a cramped position and have completely grown out of all proportion and could in time cause problems to the adjoining wall.

The Council's Arboriculturist has visited the site and has raised no objection to their removal.

It is therefore recommended that no Tree Preservation Order or objection be raised to the felling of the trees as per the application.

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Surrey House
60 Maltravers Street
Arundel

RECOMMENDATION

No Objection
