

AW/165/06/TC**TREES IN A CONSERVATION AREA REPORT**

DESCRIPTION/ ADDRESS	- Fell 1 no. Acer Platanoides ('Crimson King') tree (within the Aldwick Conservation Area). 106 Manor Way, Aldwick Bay, Bognor Regis.
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	Various trees up to approximately 20m high including 1 no. Acer Platanoides that forms the subject of this application.
BOUNDARY TREATMENT	The rear is kept by 1.8m high close boarded fencing.
SITE CHARACTERISTICS	A two storey detached dwelling formed of cream render walls and a brown pantiled hipped roof.
CHARACTER OF LOCALITY	A residential road comprising a variety of 2 storey detached dwellings.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
AW/122/02/T	Fell 1 Eucalyptus Gunnii tree.	Approved Conditionally 03-09-2002
AW/106/03/T	Application to fell one Chamaecyparis tree.	Withdrawn 13-05-2003
AW/222/05/TC	Fell one Leylandii tree (Within the Aldwick Conservation Area).	No objection 19-10-2005
AW/8/06/TC	Fell 1 no. Macrocarpa tree (Within the Aldwick Conservation Area).	No objection 17-02-2006

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Aldwick Parish Council	~~Awaited~~ <i>No objection.</i>
Local Groups	None
Others	None

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council Arboricultural Officer	No objection. The tree is situated very close to adjoining buildings and will therefore create a potential hazard in the not so distant future.
Conservation Area Advisory Committee	No comment.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Designated Conservation Area Tree Preservation Order AW/2/58 (G62)

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1, CH4 Arun District Local Plan : GEN7, AREA2
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PLANNING POLICY GUIDANCE

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

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

~~None~~ Noted.

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

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

AW/165/06/TC**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

This Acer Platanoides is located in the rear garden of 106 Manor Way next to a garden wall approximately 1.8m high and approximately 1.5m away from the boundary fence. This is considered to be a relatively confined space for a tree approximately 20m high.

The tree is visible from Manor Way amongst many other trees of significant height, some of which are included in the Tree Preservation Order that covers this site. This tree is therefore not considered to contribute significantly to public visual amenity. Further, the felling of this Acer Platanoides is not considered to compromise the character of the Conservation Area.

The Council's Arboriculturist has raised no objection to this application and considers that its location in proximity to adjoining buildings may create a potential hazard.

It is therefore recommended that no Tree Preservation Order be made and works should proceed as proposed.

ALDWICK

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RECOMMENDATION

No Objection
