

Recommendation Report for Prior Notification of Work to Tree(s) in a Conservation Area

REF NO: AW/171/12/TC

LOCATION: 81A The Fairway
Bognor Regis

PROPOSAL: Surgery to Eucalyptus, Robina, Sequoia, Catalpa and Magnolia trees within the Aldwick Bay Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this notification but various trees within and around the site.
BOUNDARY TREATMENT	Rear and side boundaries heging/tree screening over 2m.
SITE CHARACTERISTICS	Detached property with white painted brickwork on lower level, upper level has wooden detail, thatched roof with grey painted window frames. Wooden summer house and shed in rear garden.
CHARACTER OF LOCALITY	Within the Aldwick Bay Conservation Area. Private residential estate comprising detached properties on large plots of various styles and designs, some of notable character.

RELEVANT SITE HISTORY

AW/202/07/TC	Fell one Pittosporum Tree within the Aldwick Bay Conservation Area.	No Objection 31-08-2007
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REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection

Members agreed that the Arun Arboriculturist is consulted regarding this application and that his professional recommendation/decision is applied.

1 Letter of Objection

The West Sussex Wildlife Protection Group opposes the notification on the grounds of no

report

tree surgery unless dead or dangerous.

Comments on Representations received:

Parish Council comments noted

See Arboriculturist's recommendation.

Objection comments noted

An informative will be placed on any decision regarding the Wildlife and Countryside Act in relation to nesting birds and bats during the months between April to September.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's Arboriculturist

The Arboriculturist has raised no objection to the proposed surgery.

Conservation Area Advisory Committee

No objection.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Tree Preservation Order 2/58

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

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 Eucalyptus, Robina, Sequoia, Catalpa and Magnolia trees which form a group are sited within the rear garden on the eastern side of the dwelling and are not readily visible to the front of the site and not of any significant public visual amenity.

The notification seeks to reduce the height of the Eucalyptus, Robina and reduce the crown of the Sequoia and Catalpa trees. The Magnolia tree has branches which are overhanging the glass roof of the side extension of the neighbouring property No 81 and these overhanging branches are to be trimmed.

The Council's Arboriculturist has raised no objection to the proposed surgery and it is therefore recommended that no objection or Tree Preservation Order be made.

RECOMMENDATION

NO OBJECTION