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

REF NO: **AW/178/12/TC**

LOCATION: 7 Hunters Close
The Ridings
Aldwick

PROPOSAL: Reduce height by 1.5m to 1 no. Sweet Bay tree (Laurus Nobilis) & remove lateral extension growth between 0.02m & 0.25m in length within the Aldwick Bay Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 217 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	1 x no. Sweet Bay Tree (Laurus Nobilis)
BOUNDARY TREATMENT	500mm high wire mesh fence to front boundary and 1.5 metre high timber fence to side boundary.
SITE CHARACTERISTICS	Two storey modern terraced property faced in white render with shallow tiled roof. Garden to side.
CHARACTER OF LOCALITY	Aldwick Bay Conservation Area. Private residential estate comprising two storey detached and terraced dwellings.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection.

CAAC: No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

Arboriculture: I inspected the Bay Tree last Thursday. There is no need for a TPO to be made in this instance. The above work proposed within the application is acceptable.

Comments on Consultation responses:
Noted.

POLICY CONTEXT

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

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

POLICY COMMENTARY

TREES
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 Sweet Bay Tree is prominently sited within the front garden of the property on the front boundary. The tree appears to be in good health and makes a contribution to public amenity, being clearly visible within the streetscene along The Ridings.

The notification seeks to reduce the height of the tree by 1.5 metres and to remove lateral extension growth by between 0.02- 0.25 metres in length. The Council's Arborist has inspected the tree and considers the proposed work to be acceptable.

In summary, it is therefore recommended that no objection is raised and no Tree Preservation Order is made in this instance.

RECOMMENDATION

NO OBJECTION