

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

REF NO: **AW/204/15/TC**

LOCATION: Tingewick
 27 The Drive
 Aldwick

PROPOSAL: Fell 1 No. Silver Birch tree & 1 No. Pittosporum tree within the Craigweil House
 Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat
TREES	Various trees including the Silver Birch and Pittosporum
BOUNDARY TREATMENT	Trees and 2m close boarded fence.
SITE CHARACTERISTICS	Two storey detached house with driveway to front and garden to front and rear.
CHARACTER OF LOCALITY	Are consists of large detached properties won good sized plots with parking to front, gardens to front and rear. Seaside, suburban area.

RELEVANT SITE HISTORY

AW/282/12/TC	Surgery to various trees (Within the Craigweil House Conservation Area)	No Objection 07-01-2013
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None directly relevant.

REPRESENTATIONS

Representations received:

No comments received.

Comments on Representations received:

N/A

CONSULTATIONS

Arboriculturist
Conservation Officer

Consultations responses received:

CAAC- Refer to Tree Man.

Arborist

Comments:

·The trees cited in this application are standing in the front and rear gardens of 27 The Drive. T1 is easily visible from the highway outside; T2 is not visible from the highway outside.

·From the site inspection it is clear that T1 and T2 are dead standing specimens. They are therefore not suitable for TPO orders.

Recommendation:

·As both T1 and T2 do not have the attributes to warrant TPO orders, I would have no objection to the felling of both specimens.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Classifications:-

Art 4 Dir
Adopted Local Plan
Tree Preservation Order
Cons Area
No public sewer

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The above policies are general and, other than online Planning Policy Guidance under references ID 36-090-20140306 and ID 36-091-20140306, 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 Council's Arborist has raised no objection to the felling of the trees as they do not have the attributes to warrant a TPO.

It is not considered that should the trees be felled that there would be a detrimental impact on the visual amenity of the site and surrounding area.

The Council raises no objection to the felling of the trees.

RECOMMENDATION

NO OBJECTION

- 1 **INFORMATIVE:** The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 2 **INFORMATIVE:** This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.