APPLICATION REF: AW/218/06/T

TREE WORKS TO TPO TREES REPORT

DESCRIPTION/ ADDRESS	-	Fell 1 no. Willow tree and removal of roots, 14 Old Farm Close, Aldwick.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 0.1 hectare,
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	The Willow tree the subject of this application but several ornamental trees in the rear and front garden.
BOUNDARY TREATMENT	Front boundary has hedging approximately 1m-1.3m in height. Side boundary to Barrack Lane has close boarded fencing + hedging approximately 3m in height, side boundary to No 12 has close boarded fencing + hedging approximately 3m in height, rear boundary has close boarded fencing + hedging approximately 3m in height.
SITE CHARACTERISTICS	Detached property with conservatory on rear, detached double garage at side with driveway. The walls have brown brickwork, white UPVc windows with a red tiled roof.
CHARACTER OF LOCALITY	Residential area with detached two storey properties in close similar in design and style.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None.		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Aldwick Parish Council	Objection – The tree is of significant public amenity and was on the site before the houses. No horticultural reason was given to fell the tree. It is not dead, diseased or dangerous and therefore should not be felled.
Aldwick Preservation Society	Objection - the reasons stated do not provide adequate justification for removing the tree. The exposed roots could be covered by landscaping and the size of the tree could be reduced by sensible tree surgery.
2 Letters of Objection	The Willow tree is a landmark and can be seen from all directions and was considered to be of special amenity value when the development of Old Farm Close was developed. The Willow tree is a survivor of the several Willow trees that were in the Aldwick area adjoining the dew ponds of the time.

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	The applicant states that the tree is imposing but gives no horticultural reason to fell the tree. The tree, with others, was required to be retained as part of the Gleeson development in the 1990's and the road was designed around the tree and the garden extended to retain the tree.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council's Arboriculturist	The Willow tree is sited to the rear of the large garden and although the roots are large and some are proud of the soil level which is not uncommon. The tree poses no danger and there is no arboricultural reason to fell the tree.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built Up Area Boundary Tree Preservation Order 2/58 A1 PDR – Open Plan Condition Archeology Interest

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1
Arun District Local Plan : GEN7

PLANNING POLICY GUIDANCE

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

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.

COMMENT ON REPRESENTATIONS RECEIVED

None.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 198 of the Town and Country Planning Act 1990 states:-

"If it appears to a Local Planning authority that it is expedient in the interest of amenity to make provision for the preservation of trees ... they may for that purpose make an order."

The works to the trees are to be judged having regard to amenity.

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 Willow tree is of a significant size and located in the rear north east corner of the garden and visible above the boundary screening in Barrack Lane and above the detached garage at the side of the property in Old Farm Close.

The Council's Arboriculturist has visited the site and although the tree roots are large and some are proud of the soil level there is no arboricultural reason to fell the tree.

It is therefore recommended that the application be refused for the following reason.

ALDWICK AW/218/06/T

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Aldwick

RECOMMENDATION

Refuse

1 The Willow tree makes a significant contribution to the character of the area and therefo in the absence of any arboricultural justification the loss of the tree would be detrimental the visual amenities of the locality in conflict with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.