

NOTIFICATION OF WORKS TO TREES IN A CONSERVATION AREA REPORT

REF NO: AW/241/09/TC

LOCATION: Aldworth House
91 The Fairway
Aldwick Bay Estate Bognor Regis

PROPOSAL: Removal of 1 no. Leylandii & Macrocarpa hedge (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	Various trees within and around the site.
BOUNDARY TREATMENT	Front boundary has wall + wrought iron entrance gates approximately 1m-1.8m in height, west side boundary close boarded fencing + tree screening over 4m, east side boundary Leylandii and Macrocarpa hedge the subject of this application.
SITE CHARACTERISTICS	Detached two storey property with cream smooth rendered walls, white window frames with a grey tiled roof.
CHARACTER OF LOCALITY	Within the Aldwick Bay Conservation Area. Private estate comprising residential properties of various styles and designs on large plots, some of notable character.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

No Objection

Members voted unanimously in support of this application.

1 Letter of Support

The hedge should be removed as it is neither controlled or maintained by previous occupants and the many dying falling branches cause a constant nuisance and danger to persons and property. Being close to properties, the roots may affect foundations causing structural defects to occur.

Comments on Representations received:

Noted

CONSULTATIONS

Horticulturist

Conservation Area Advisory Com

Consultations responses received:

Horticulturist

The trees the subject of this application form a boundary hedge to the west side of the property.

They have grown very tall and are no longer manageable as a hedge the reason why it was planted. Even pruning would not bring them back to any form of sensible hedge or screen and the hedge is too young to be covered by TPO/2/58.

I have no reason to refuse this notification.

Conservation Area Advisory Committee

The hedge should be replaced by another hedge to retain the character of the area.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary

Within the Aldwick Bay Conservation Area

Tree Preservation Order 2/58

Area of Special Control for Advertisements

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN28	Trees and Woodlands
	AREA2	Conservation Areas

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
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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 Leylandii and Macrocarpa trees which form a hedge the subject of this notification is sited on the boundary between Nos 90 and 91 The Fairway.

The hedge is approximately 3m-4m in height and is in a poor state of health and the notification seeks to remove this hedge as several of the branches have recently broken off. The Council's Horticulturist has visited the site and he is of the opinion that the hedge should be removed as it has grown very tall and is no longer manageable as a hedge.

It is therefore recommended that no objection be raised or Tree Preservation Order be made.

RECOMMENDATION

NO OBJECTION