NOTIFICATION OF WORKS TO TREES IN A CONSERVATION AREA REPOR

REF NO: **AW/24/12/TC**

LOCATION: 27 The Drive
Aldwick

PROPOSAL: Fell 1 No Eucalyptus tree within the Craigweil House Conservaton Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 817 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The tree the subject of this application and various semi-mature trees within and around the application site.
BOUNDARY TREATMENT	Brick wall and pillars, perforate fence and iron gates to front boundary, approximately 1.8-2 metres high.
SITE CHARACTERISTICS	Detached modern two storey dwelling constructed from brick.
CHARACTER OF LOCALITY	Craigweil House Conservation Area. Private residential estate comprising detached two storey dwellings of various designs and styles in large plots.

RELEVANT SITE HISTORY

AW/330/87/T	Fell one African Willow one Eucalyptus and five Silver Birch	Approve Cond 25-01-1988
BR/44/53/B	Detached house and garage	Approve Cond 13-09-1955
BR/737/70/T	Lop and prune 11 silver birch trees	Approve Cond 04-01-1971
BR/575/76/T	Felling of 6 trees Silver Birch	Approve Cond 06-04-1977

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Comments awaited.

Comments on Representations received:

Awaited.

CONSULTATIONS

Council's Arboriculturalist
Conservation Officer
Conservation Area Advisory Com

Consultations responses received:

Arboriculturist: The Eucalyptus Tree located to the front of the property, is approximately 20-30 years of age. There are some stubs in the lower crown where branches have been cut. The tree has good form and is clearly visible from The Drive.

The applicant seeks to remove the tree because of cracks in the path. The path appears to be of lightweight construction. It would be prone to disturbance caused by root growth and/or tension/flexing in the wind. A combination of root pruning and crown reduction would benefit the tree and provide the owners with the opportunity to repair the path and create a harmonious arboreal landscape feature worthy of a Tree Preservation Order.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Conservation Area
Tree Preservation Order
Article 4 Direction

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

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 Tree is prominently sited within the front garden of the property. The tree is approximately 20-30 years of age and has a large canopy that is visible from the streetscene and public realm along The Drive within the Craigweil House Conservation Area.

The applicant seeks to fell the tree on the basis of cracks and fissures appearing in paving and the driveway to the property.

The Arboriculturist has inspected the tree and comments that stubs are visible within the lower crown where the tree has been pruned previously, but the tree has good form. The path appears to be of lightweight construction and will be prone to root disturbance and/or tension as a result of flexing in the wind. The Arborist comments that the tree would benefit from a combination of root pruning and crown reduction. This would enable the applicant to repair the path and to create a harmonious arboreal landscape feature worthy of a Tree Preservation Order.

The tree is not dead, dying or dangerous and there is no arboricultural justification given to fell the tree. The tree is considered to contribute significantly towards public amenity and it is therefore recommended that the felling of the tree is refused and that the Eucalyptus Tree be made the subject of a Tree Preservation Order.

RECOMMENDATION

OBJECTION