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

REF NO: **AW/30/15/TC**

LOCATION: 216 Manor Way
Aldwick

PROPOSAL: Fell 1 No. Red Oak tree & 1 No Crab Apple tree within the Aldwick Bay Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The 2 trees the subject of this application.
BOUNDARY TREATMENT	The front boundary treatment of the site is a brick wall with piers which has an evergreen hedge to the immediate rear. Side boundary treatments as panel fences.
SITE CHARACTERISTICS	The site is occupied by a detached two-storey dwelling. Between the dwelling and trees/front boundary is a large surfaced parking and turning area.
CHARACTER OF LOCALITY	Within the Bay Estate Conservation Area. Private residential estate comprising mainly detached two-storey dwellings on large plots and of various styles/designs.

RELEVANT SITE HISTORY

AW/88/07/TC	Surgery to 1 x Sycamore 1 x Poplar & 1 x tree to front boundary within the Aldwick Bay Conservation area	No Objection 11-05-2007
AW/87/07/T	Trim branches of 1 x Hawthorn and 1 x Holm Oak	ApproveConditionally 22-05-2007

None.

REPRESENTATIONS

Representations received:
None received.

Comments on Representations received:
N/A

CONSULTATIONS

Arboriculturist
Conservation Officer

Consultations responses received:

The Council's Tree Officer comments:

Trees are situated in a landscape of many mature tree specimens. There is a wide range of species, of varying age in the surrounding landscape.

The trees highlighted in this application are not covered by a TPO order/s, so this application is to determine the suitability of T1 and T2 for a TPO order.

From the site inspection, it is clear that both T1 and T2 are in fair to poor condition. This is illustrated by a dynamic mass of less than 25% on both individuals.

The forms of T1 and T2 are also poor, with T1 being particular poor.

This would suggest the retention span have been heavily reduced due to the ongoing deterioration of these trees.

Recommendation:

As these trees are in a poor condition and have a poor retention span, T1 and T2 would not be suitable for a TPO order/s. I would therefore have no objection to the proposed operation/s.

Conservation Area Advisory Committee: No objection.

Comments on Consultation responses:

Consultee comments noted.

POLICY CONTEXT

Designations applicable to site:-
Conservation Area
Adopted Local Plan
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

POLICY COMMENTARY

Development Plan policies are not specific to trees. National Planning Policy Guidance under references ID 36-090-20140306 and ID 36-091-20140306 is relevant.

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 subject trees are located to the front of the site and would, if of sufficient merit, make a contribution to visual amenity. However, in this instance, they are in fair to poor condition and make little amenity contribution. Loss is mitigated by the substantial street trees nearby and also by the front wall and front evergreen hedge. The trees do not merit a TPO and as such there can be no objection to their removal.

Therefore, it is recommended that no objection is raised in relation to the proposed works.

RECOMMENDATION

NO OBJECTION