

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

REF NO: **AW/354/14/TC**

LOCATION: 10 Tithe Barn Close
 Aldwick

PROPOSAL: Fell 1 No Ash tree & 1 No Tulip tree with the

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The trees the subject of this notification but various trees within and around the site.
BOUNDARY TREATMENT	Mixture of 1.8 metre high close boarded fencing and planting.
SITE CHARACTERISTICS	Detached two storey dwelling.
CHARACTER OF LOCALITY	Within the Aldwick Bay Conservation Area. Residential cul-de-sac comprising detached bungalows and two storey dwellings of various styles and designs. Grass verge in front of property has ornamental trees.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council:-

Members strongly objected to the application on the grounds that shading is an insufficient reason for the removal of trees and because the trees are not unhealthy and because Chalara Ash die back currently represents a threat to ash trees so that it is important to preserve healthy trees.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Arboriculturist

Conservation Officer

Consultations responses received:

Council's Tree Officer:-

Comments:

·Outlined tree lies in the conservation area of Aldwick Bay, which high amenity landscape with young, semi mature, mature, and over mature trees specimens present.

·The trees outlined in this application are situated along the southern boundary of 10 Tithe close.

·The applicant has requested the felling of T1 and T2, having cited 'shading', not being visible from the 'main highway' and the fact there are other trees in the garden to help the amenity value of the area.

·T1 and T2 are both in good to fair overall condition. It is also from a visual inspection that both T1 and T2 have both had reductions. These do appear to have completed to a standard that would meet the criteria set by the BS 3998 Section 7- Pruning and related work. This does mean a reasonable amount of mass from the crown. Also the position of the final cuts appears to have met the standards as set by the BS 3998: Section 7.2.5 figure 2.

Recommendation:

·As these trees have a good retention span (as T1 and T2 are semi mature), and both trees are good overall condition, it would be my recommendation that both T1 and T2 are given TPO orders.

Conservation Area Advisory Committee:-

Refer to Tree Officer.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designations Applicable to Site:-

Adopted Local Plan

Tree Preservation Order

Conservation Area

Special Control Adverts

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

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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 trees the subject of this application are clearly visible within the street scene and make a positive contribution to the amenity of the area.

The applicant cites the 'shading' caused by the trees and that the trees are not visible from the 'main highway' as justification for the felling. A visual inspection of the trees was undertaken by the Council's Tree Officer and revealed that both trees are in good to fair condition and their protection would be justified through the implementation of a TPO.

Therefore, it is recommended that an objection is raised to the proposed works and a TPO is placed upon the trees the subject of this application.

RECOMMENDATION

OBJECTION