

Recommendation Report for Prior Notification of Work to Tree(s) in a Conservation Area**REF NO:** AW/48/12/TC**LOCATION:** The White House
24 Kingsway
Bognor Regis**PROPOSAL:** Reduce tops of 14 no. Lleylandi trees by a maximum of 3m within the Craigweil House Conservation Area.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Lleylandi trees the subject of this notification but various trees within and around the site.
BOUNDARY TREATMENT	Rear has tree screening over 3m, side boundaries hedging/tree screening approximately 1.8m-3m in height.
SITE CHARACTERISTICS	Detached two storey property with conservatory on rear. Detached garage on side with tarmac driveway, wooden summer house in rear garden. The property has white painted brickwork, red tile hanging on rear with white window frames.
CHARACTER OF LOCALITY	Private residential estate within the Craigweil House Conservation Area. Mixture of detached properties of various styles and designs.

RELEVANT SITE HISTORY

AW/73/11/TC	Various tree surgery to include felling of 4 trees within the Craigweil House Conservation Area.	No Objection 10-05-2011
AW/159/11/TC	Crown reduction by 50% to 1 No Eucalyptus tree and crown reduction by 50% to 1 No Holly tree within the Craigweil House Conservation Area	No Objection 19-08-2011

REPRESENTATIONS**Representations received:**
Aldwick Parish Council

report

No objection

Members agreed that the Arun Arboriculturist is consulted regarding this application and that his professional recommendations/decision is applied.

2 Letters of Objection

There is no indication on the notification that the work will be carried out by a qualified arboriculturist.

Trees of a considerable public amenity within Craigweil House Conservation Area.

Wording on the application form for the removal of at least 10 feet could be misinterpreted as to mean the reduction of the trees to 10 feet, therefore removing 20 or 30 feet.

Topping 10 feet of the height and lopping of excessive side branches is excessive.

Recommend that the Arun Arboriculturist inspects the trees to assess proper treatment for the future welfare of the trees.

The West Sussex Wildlife Protection Group opposes the notification on the basis that no lopping due to nesting birds.

Comments on Representations received:

Parish Council and Objection comments noted.

The conifer trees which are to the rear of the property although visible from rear gardens in The Drive are not considered to be of any significant public visual amenity.

The Council's Arboriculturist has visited the site and inspected the trees with the owner where there are 14 conifers in total which form a hedge. He has agreed with the owner that a maximum of 3m from their tops be removed.

The applicant will be informed regarding the Wildlife and Countryside Act of 1981 and 1985 in relation to nesting birds during the months between April to September.

CONSULTATIONS

Council's Arboriculturalist

Conservation Officer

Conservation Area Advisory Com

Consultations responses received:

Council's Arboriculturist

I inspected the conifer trees to the rear of the property and counted 14 in total to be pruned. I spoke with the property owner and found that the trees are barely visible as viewed from a public place. The trees form a hedge and provide a screen, a reduction of approximately 3m from their tops is acceptable and the owner agreed with this amount.

Conservation Officer

Awaited.

Conservation Area Advisory Committee

No objection.

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

report

Within the Craigweil House Conservation Area
Tree Preservation Order 2/58

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: AREA2 Conservation Areas

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 trees are not old enough to be covered by Tree Preservation Order 2/58 but are within the Craigweil House Conservation Area.

The notification seeks to reduce the tops of 14 no. Lleylandi trees by 3m which are sited on the rear boundary. Although the trees are of a significant height and form a hedge providing screening to the rear of the site they are not of significant public visual amenity. The Council's Arboriculturist has inspected the trees which are not worthy of a Tree Preservation Order and has raised no objection to the reduction.

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

RECOMMENDATION

NO OBJECTION

- 1 **INFORMATIVE:** The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or

report

being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 2 **INFORMATIVE:** This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.