

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

REF NO: **AW/94/12/TC**

LOCATION: 17 The Drive
 Aldwick

PROPOSAL: Reduce upper canopy of 1 no. Cherry tree by 2 metres 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 Cherry tree the subject of this notification but various trees within and around the site.
BOUNDARY TREATMENT	Front boundary has wall + hedging approximately 2m-2.5m in height, side No 19 has hedging approximately 2.5m in height, side No 15 wall approximately 1.8m in height.
SITE CHARACTERISTICS	Detached two storey property with double garage to front and paved driveway. The property has brickwork painted white on lower level with white cladding on upper level, red tiled roof with white window frames.
CHARACTER OF LOCALITY	Within the Craigweil House Conservation Area. Private residential estate comprising detached properties of various styles and designs, some of notable character.

RELEVANT SITE HISTORY

AW/228/11/TC	Fell 1 no Crab Apple tree and surgery to 3 no Crab Apple trees and 1 Cherry tree within the Craigweil House Conservation Area.	No Objection 01-11-2011
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REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection

Mambers agreed that the Arun Arboriculturist is consulted regarding the notification and that his professional recommendations/decision is applied.

1 Letter of Objection

The West Sussex Wildlife Protection Group opposes the application on the grounds that no surgery due to nesting birds.

Comments on Representations received:

Parish Council comments noted.

See Arboriculturist's recommendation.

Objection comments noted

If approved, an informative will be placed on any decision regarding the Wildlife and Countryside Act in relation to nesting birds during the months between April to September.

CONSULTATIONS

Council's Arboriculturist

Conservation Officer

Council's Arboriculturist

Conservation Area Advisory Com

Consultations responses received:

Council's Arboriculturist

I have visited the site and have identified the Cherry tree. This is small and barely visible tree and not worthy of consideration for a Tree Preservation Order.

Comments on Consultation responses:

Arboriculturist's comments noted and agreed.

Conservation Officer

Awaited

Conservation Area Advisory Committee

No comment.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Within the Craigweil House Conservation Area

Tree Preservation Order 2/58

Art 4 Direction

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 Cherry tree the subject of this notification is not old enough to be covered by the Tree Preservation Order 2/58. It is sited in the rear garden on the eastern side boundary and is not readily visible from the front of the site and not of any significant public visual amenity.

The notification seeks to reduce the upper canopy of the Cherry tree by 2m as it is sited in close proximity to an Apple tree. The Council's Arboriculturist has visited the site 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