

NOTIFICATION OF WORKS TO TREES IN A CONSERVATION AREA REPORT**REF NO:** A/149/11/TC**LOCATION:** Pigeon House
High Street
Angmering**PROPOSAL:** Surgery to various trees within the Angmering Conservation Area**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The notification advises of works to 8No. trees which include, 1No. Oak tree for 20% Crown Reduction; 2No. Sycamore saplings to be felled; 1No. Horse Chestnut to be re-pollard to previous points and remove low branches; 1No. Ash tree to remove branches overhanging thatched listed outbuilding; 1No. Sycamore, remove lower branches and fell 1No. Elder tree and 1No. Sycamore tree.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees subject of the application.
BOUNDARY TREATMENT	Various, hedging to east side boundary with flint walling to front.
SITE CHARACTERISTICS	Paddock to the east of Pigeon House which is a Grade II Listed Building with outbuildings and barn.
CHARACTER OF LOCALITY	Residential, characterised by historic buildings which form part of the Angmering Conservation Area. Many trees within the street scene contributing to its character.

RELEVANT SITE HISTORY

A/106/94/TC	Prune and lop one Oak and one Horse Chestnut tree and one Pine tree.	No Objection 11-10-1994
A/97/02/TC	Surgery to Leylandii tree, 3 Horse Chestnut trees, 2 Sycamore trees, 1 Eucalyptus tree, 1 Hawthorn tree, 1 Ash tree, 1 Willow tree, 1 Oak tree, 1 Monterey Pine tree, 1 Thorn tree, 1 Apple tree within the Angmering Conservation Area.	No Objection 01-11-2002

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Officer

Conservation Area Advisory Com

Council's Arboriculturalist

Consultations responses received:

Councils Arborist:

The majority of the work applied for would not be detrimental to the trees and barely noticeable as viewed from the highway. Both Horse Chestnut and Oak near to the highway were previously reduced creating abnormally dense growths and the applicant recognises the need for similar treatment. Therefore the application for tree work should be allowed.

Conservation Area Advisory Committee:

No comment.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Grade II Listed Building

Conservation Area

Built-up area boundary

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

TREES

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

TREES CA

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 notification is to advise of works to 8No. trees within the Angmering Conservation Area. The trees are located within the paddock area to the east of Pigeon House.

The trees identified on the submitted plan as B, E, F and G which include 2No. Sycamore saplings, 2No. Sycamores and 1No. elder can be viewed from the public domain, however they do not appear as significant features within the public domain, therefore works proposed would not detract from the appearance of the trees within the Conservation Area.

However, the trees identified as A, C and D are significant features within the locality given their proximity to the public highway. The works which are proposed to these trees would not detract from the significant amenity value of the trees and it would not therefore be required that these trees should be made the subject of a Tree Preservation Order as the protection of the Conservation Area remains sufficient at present.

It is therefore recommended that no Tree Preservation Order be made and the works to the trees should proceed as per the notification.

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 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.