

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

REF NO: **A/72/15/TC**

LOCATION: 3 Woodford Villas
 High Street
 Angmering

PROPOSAL: Overall crown reduction of 1.5m to 1 No. Holm Oak tree.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The trees the subject of this application.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	The tree the subject of this application is located to the south west of No. 3 Woodford Villas and is clearly visible from the high street.
CHARACTER OF LOCALITY	The character of the locality is both residential and commercial in nature and features properties of a similar design and style.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Angmering Parish Council

None received.

Comments on Representations received:

N/A

CONSULTATIONS

Arboriculturist

Conservation Officer

Consultations responses received:

Council's Tree Officer:-

Comments:

- The tree outlined in this application is located within the conservation area within Angmering.
- The tree in question is standing in the front garden of 3 Woodford Villas, High Street. This tree is highly visible to the public from the public highway.

- From the site inspection it is clear that T1 has had a previous reduction/s, which would emulate the proposed reduction of up to 1.5 meters. These reductions have clearly been instigated to prevent conflict between the neighbouring properties/BT phone lines.
- Failure to adhere to this pruning regime will result in conflict occurring between T1 and the highlighted structures.

Recommendation:

- I would have no objection to the proposed operation of a reduction of no more than 1.5 meters to T1.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation Applicable to Site:-
Conservation Area

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 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 Council's Tree Officer has inspected the tree and stated that it is clear that the tree has had previous reductions and the proposed works would follow these established works. The proposed works were carried out to prevent conflict between neighbouring properties and BT phone lines and as such failure to carry out these works will result in conflict with these identified structures.

Therefore, no objection has been raised in relation to the proposed reduction and as such it is recommended that approval is granted subject to the following conditions.

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.