

NOTIFICATION OF WORKS TO TREES IN A CONSERVATION AREA REPORT**REF NO:** A/91/10/TC**LOCATION:** Dolphin Cottage
The Square
Angmering**PROPOSAL:** Notification of works to trees within the Angmering Conservation Area: Fell three no. Conifer trees.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Rear garden stepped up some 2-3m from the public highway.
TREES	The trees subject of the application.
BOUNDARY TREATMENT	Property fronts highway. Timber fencing to southern boundary.
SITE CHARACTERISTICS	Grade II Listed Building. Semi detached 2 storey building, painted brick elevations, timber casement windows, gable slated tiled roof. Sash windows above garage to front elevation.
CHARACTER OF LOCALITY	Sited within Angmering Conservation Area, village centre. Commercial and residential properties within close proximity. Class A Road.

RELEVANT SITE HISTORY

A/176/07/TC	Reduce the height of 3 Conifers by 25% within the Angmering Conservation Area.	No Objection 21-12-2007
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REPRESENTATIONS**Representations received:**
Awaited.1 Letter of Objection:
No felling, nesting birds.**Comments on Representations received:**

Informative to be attached to decision advising applicant of the Wildlife Act.

CONSULTATIONS

Conservation Officer

Tree Officer

Conservation Area Advisory Com

Consultations responses received:

Conservation Area Advisory Committee:

No comment.

Councils Arborist:

The removal of the two trees to the immediate rear of the property is acceptable as their loss would not cause any significant impact to the amenity of the area and would also be partly screened by the Cheery tree located to the side of the property.

Difficult to determine the location of 1No. Conifer and a plan locating the trees to be felled should be provided.

Comments on Consultation responses:

The trees can be identified and a further plan is not considered to be required.

POLICY CONTEXT

Designation applicable to site:

Within the built-up area boundary

Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)
[GEN7](#)
[AREA2](#)

Built-up Area Boundary
The Form of New Development
Conservation Areas

PLANNING POLICY GUIDANCE

PPS1

Delivering Sustainable Development

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 proposed application seeks Consent to fell 3No. Conifer trees within the Angmering Conservation Area. The trees are located to the rear of the dwelling and can only be partly viewed from the public domain to the south of the site, beyond the Cherry tree which is within the front garden of the dwelling to the south of the site. The trees given there siting and appearance are not considered to significantly contribute to the Conservation Area and therefore are not considered worthy of being placed under a Tree Preservation Order.

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

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.