BN/17/07/TC

TREES IN A CONSERVATION AREA REPORT

DESCRIPTION/ ADDRESS	-	Surgery to various trees within the Barnham Conservation Area Fieldfares Church Lane Barnham

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominately flat
TREES	Trees, other than the subjects of the application, noted in the area
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	Detached property
CHARACTER OF LOCALITY	Rural

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
BN/8/05/TC	Application to fell 4 dead Elms and reduce 1 Hawthorne to original pruning height	No objection 13-05-2005

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Barnham Parish Council	Awaited
West Sussex Wildlife Protection	No surgery due to nesting birds
OTHER	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council's Arboriculturist	No reason for placing TPO on these trees and confirm work which is to be carried out is normal remedial work in terms of pruning and deadwooding
Conservation Area Advisory Committee	~~Awaited~~ NO COMMENT

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary

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POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Conservation Area Within Area of Special Advertisement Control

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC2, DEV1, CH1, CH4
Arun District Local Plan: GEN3, GEN7, AREA2

PLANNING POLICY GUIDANCE

PPS1:	Delivering sustainable development
PPS7:	Sustainable Development in Rural Areas
PPG15:	Planning and the Historic Environment
	Circular 36/78
	DETR TPO's: A Guide to the Law & Good Practise

POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPO's, are not specific to trees.

COMMENT ON CONSULTATION RESPONSES

Noted

COMMENT ON REPRESENTATIONS RECEIVED

Noted. The purpose of the application is to provide notification to the Local Planning Authority to determine whether the subjects of the application are worthy of a tree preservation order, not to determine whether the proposed works are acceptable.

ASSESSMENT OF PROPOSAL

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.

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CONCLUSIONS

The subjects of the application are visible in the street scene and wider locality. The works proposed are considered acceptable being of a remedial nature, and not considered to adversely impact upon the public amenity value of the trees. It is therefore recommended that no Tree Preservation Order or objection be made and works should proceed as per the application.

BARNHAM BN/17/07/TC

Surgery to various trees within the Barnham Conservation Area

Fieldfares
Church Lane
Barnham

RECOMMENDATION

No Objection

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