

FG/165/07/TC

TREES IN A CONSERVATION AREA REPORT

DESCRIPTION/ ADDRESS	- Fell 2 Lawson's Cypress and surgery to various trees within the Ferring Conservation Area 17 & 19 Ferring Street Ferring
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominately flat
TREES	Several within locality, including subjects of the application
BOUNDARY TREATMENT	Fence and hedging
SITE CHARACTERISTICS	Property
CHARACTER OF LOCALITY	Residential

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
FG/59/96/TC	Fell 1 Horse Chestnut tree and surgery to 1 Lime, 1 Sycamore 1 Ilex Oak, 1 Weeping Ash and 1 Common Ash tree within the Ferring Conservation Area	No objection 22-11-1996
FG/147/04/TC	Surgery to various trees in front and rear garden (within the Ferring Conservation Area)	No objection 26-11-2004

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Ferring Parish Council	Proposed surgery to trees on this site acceptable with exception of 2 Poplars. Trees in question are in fact 2 Firs and as the replacement of 2 eco friendly trees are not really specific. Would suggest separate application be made for removal and replacement of Firs, particularly as these are in fairly prominent position at front of property.
West Sussex Wildlife Protection	No surgery unless dead or dangerous
2 letters of objection	- Conservation Area already blighted by Holm Oak felling, done without planning permission - Trees regularly used by breeding birds

FG/165/07/TC

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	- Felling of two mature beautiful poplars; will affect whole of street scene. Do not seem diseased and therefore do not need to be felled - Felling now looks like a new housing estate

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council's Arboriculturist	Should be noted request to remove two Poplars from front edge of property. However, on inspection failed to find any such Poplars. Note this is TC and ask whether any TPOs on site. If not recommended works be undertaken as matter of urgency for good husbandry. 5 th Nov 2007 Revisited site, noted 'poplars' are in fact Lawson's Cypress about 10 years old. Will grow too big for area in which they are planted, and therefore completely inappropriate. Do not propose TPO
Conservation Area Advisory Committee	No comment

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Conservation Area Building of Special Character

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: DEV1, CH4, CH5 Arun District Local Plan: GEN7, AREA2, GEN22
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PLANNING POLICY GUIDANCE

PPS1: Delivering sustainable development PPG15: Planning and the Historic Environment Circular 36/78 DETR TPO's: A Guide to the Law & Good Practise
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POLICY COMMENTARY

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

Noted

COMMENT ON REPRESENTATIONS RECEIVED

FG/165/07/TC**COMMENT ON REPRESENTATIONS RECEIVED**

Noted. The Council's Arboriculturist has confirmed the trees originally described as poplar are, in fact, Lawson's Cypress. The application forms have been amended accordingly. Those trees are not considered worthy of retention by Tree Preservation Order.

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.

CONCLUSIONS

The subjects of the application are visible in the street scene. However the majority of the trees are of relatively modest size and not of such significant visual amenity as to warrant their retention. Therefore the proposed works/felling are considered acceptable and it is therefore recommended that no Tree Preservation Order or objection be made and works/felling should proceed as per the application.

FERRING

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17 & 19 Ferring Street
Ferring

RECOMMENDATION

No Objection

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