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

REF NO: **FP/154/13/TC**

LOCATION: 24 Limmer Lane
Felpham
Bognor Regis West Sussex

PROPOSAL: Sectionally fell and leave low stumps to 2 No Leyland Cypress trees within the Felpham Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this notification but various trees within and around the site.
BOUNDARY TREATMENT	Front has raised grass bank with shrubs and trees, side boundary with Rectory Gardens fencing plus hedging/tree screening.
SITE CHARACTERISTICS	Two storey detached property with brown brickwork, red tiled roof with white window frames. Parking to front of site.
CHARACTER OF LOCALITY	Residential area comprising predominantly detached properties in Limmer Lane of various styles and designs. Terraced two storey properties in Old Rectory Gardens.

RELEVANT SITE HISTORY

FP/72/92/TC	Lop one wych elm tree	No Objection 15-06-1992
FP/38/03/TC	Removal of one Rhus and one Viburnum, prune two Philadelphus and one Prunus, remove one Prunus and remove Cupressocyparis Leylandii hedge within the Felpham Conservation area	No Objection 28-03-2003

REPRESENTATIONS

Representations received:
Felpham Parish Council

No objection

Comments on Representations received:

None

CONSULTATIONS

Council's Arboriculturist
Conservation Officer

Consultations responses received:

Council's Arboriculturist
I have observed the trees and do not consider them worthy for a Tree Preservation Order in their current and poor condition.

Conservation Officer
Awaited

Comments on Consultation responses:

Arboriculturist's comments noted and agreed.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Within the Felpham Conservation Area
Class C Road
Tree Preservation Order

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

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

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 two Leyland Cypress trees are sited in the rear garden on the south west boundary. They are of a considerable height and although not visible to the front of the site in Limmer Lane are readily visible above the boundary fencing in Old Rectory Gardens but are not considered to be of any significant public visual amenity value.

The notification seeks to fell the trees as they are large and leaning towards the boundary fencing and in a state of collapse. The Council's Arboriculturist has inspected the trees and has raised no objection to their removal as they are in a poor condition and not considered to be worthy of a Tree Preservation Order.

There are various trees within and around the site so the loss of the trees would not detrimentally harm the character or appearance of the Conservation Area. It is therefore recommended that no objection be raised or Tree Preservation Order be made.

RECOMMENDATION

NO OBJECTION