

NOTIFICATION OF WORKS TO TREES IN A CONSERVATION AREA REPORT**REF NO:** FP/50/11/TC**LOCATION:** The Old School House
114 Felpham Road
Felpham**PROPOSAL:** Fell 1 Silver Birch tree and lop dead branches to various trees within the Felpham Conservation Area**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Elevated from highway.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1m flint wall with brick quoins to front of property.
SITE CHARACTERISTICS	The site is a two storey detached property with flint faced elevations with brick quoins and a plain tiled roof.
CHARACTER OF LOCALITY	The site is located within the Felpham Conservation Area, within a road of both commercial and residential properties of notable character.

RELEVANT SITE HISTORY

FP/39/93/TC	Lop one tree within the Felpham Conservation Area	No Objection 21-05-1993
-------------	---	----------------------------

REPRESENTATIONS**Representations received:**

Felpham Parish Council

Objection.

Felpham Parish Council objects to the felling of the Silver Birch because of the following report by Felpham Tree Warden:

The Silver Birch is an old multi-stemmed tree with 4 stems, 2 of which are damaging the fence. The 2 stems closest to the fence could be removed leaving the other 2 to form perfectly healthy trees, intact. If necessary they could be reduced by a third.

The tree warden also commented on the trees to be lopped as follows:

Cherry- This is a very old tree, perhaps over 100 years old with a few dead bits in it that need attention but is otherwise very healthy considering its age.

Yew/Bay trees - These 2 trees are growing very close together. The Yew is quite healthy and requires little attention apart from a crown lift. The Bay has a problem in that there is some rot at the bottom and 3 large stems, surrounded by many small ones. The large stems are very heavy and could be considered a safety hazard. I suggest coppice the Bay and let it form a bush.

Strawberry tree - requires a large branch removed for safety reasons and perhaps a good prune.

Rowan - very little attention required, perhaps a light prune.

One letter of objection, stating no felling due to nesting birds.

Comments on Representations received:

Noted. The District Arboriculturist has advised that the trees are not worthy of a Tree Preservation Order.

CONSULTATIONS

Council's Arboriculturist

Conservation Officer

Conservation Area Advisory Com

Consultations responses received:

District Arboriculturist:

I have inspected the site and do not consider the trees subject of this application worthy of a Tree Preservation Order.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area

Within the Felpham Village Conservation Area

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

This is a notification of the intention to perform works to trees within the Felpham Conservation Area.

The proposed works include the felling of a Silver Birch and the lopping and removal of dead branches from Prunus, Yew and Bay trees, Strawberry and Rowan trees.

The Silver Birch is a relatively large tree, but is located towards the rear end of the garden and is well screened by buildings. Therefore the tree is not deemed to be of significant amenity value , and it is not considered that its loss would have a significant impact on the character or appearance of the Conservation Area.

The remaining trees are located to the front of the property and are visible from the street scene, however they are not considered to form a prominent feature.

The District Arboriculturist has inspected the site and has advised that none of the trees are worthy of a Tree Preservation Order.

It is therefore recommended that no objection be raised to the proposed works.

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 amendd) 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.