APPLICATION REF: H/9/07/TC

TREES IN A CONSERVATION AREA REPORT

DESCRIPTION/ ADDRESS	-	Dismantle and fell one sycamore tree within Houghton Conservation Area, Northview, The Street, Houghton.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Slightly sloping.
TREES	As above.
BOUNDARY TREATMENT	Hedging and fencing.
SITE CHARACTERISTICS	Moderate sized two storey detached property.
CHARACTER OF LOCALITY	Residential area set within a rural locality to the southeast of Barnham village.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None.		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Houghton Parish Council	Awaited.
West Sussex Protection Group	no felling unless dead or dangerous.
OTHERS	None.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Councils Arboriculturist	The tree is the only one of a group of three which is of significant value and is situated away from the cottage, by approximately 4 metres and a meter away from the gravel track which leads between the cottage (North View) and the churchyard all of which are adjacent to the Whiteways Lodge to Amberley Road B1239. I visited the property on 13th August 2007 and met the owner Mr Witter who was anxious to have this particular tree removed as it was causing problems to this car by dropping leaves, and black substance onto the vehicle and he wanted to make the area around his property look tidy. He did ask why an application had to be made for the removal of the tree and I explained the reason for this, as he lived in a Conservation area and that was the part of the regulation relating to trees in such a situation which gave the opportunity for the planning authority to place a

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	Preservation order on the tree if it is considered that to be appropriate or under threat. I further mentioned that the cutting down or removing of a tree because it happened to shed leaves and other nuisances was not a good and valid reason felling the tree. After some discussion. I informed him that I saw no reason for taking the tree down and was proposing to put a Preservation Order on the tree as I considered it to be of amenity value.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary Conservation Area

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC2, DEV1, CH1, CH2, CH4
Arun District Local Plan : GEN3, GEN7, AREA2, AREA9, DEV11
SPG – Conservation Areas

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

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

In the event of the Local Planning Authority not raising an objection to the proposed felling and works to trees, the applicant will receive a letter informing them of the contents of the Wildlife and Countryside Act with regard to nesting birds.

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

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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 Sycamore tree is a significant part of a group of three trees visible in Street Scene and in close proximity to the adjacent Church. It is considered to be of significant public amenity value as to warrant retention by a TPO. The Arboriculturist has stated the tree is in fair health and with a reasonable life expectancy of over 50 years. Therefore it is considered that the loss of the tree would adversely affect the established character of the Conservation Area. A Tree Preservation Order is not considered required for the other two trees as they are still protected from felling or tree works given their location in the Conservation Area. It is therefore recommended a Tree Preservation Order is placed on the tree subject to this application and an objection is raised.

HOUGHTON H/9/07/TC

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Northview
The Street
Houghton

RECOMMENDATION

Objection