

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

REF NO: LU/108/14/TC

LOCATION: 1 Church Street
Littlehampton

PROPOSAL: Reduce height and spread of 1 No Evergreen Oak tree by 1.5 metres, reduce top epicomic re-growth to previous pruning points to 1 No Sweet Chestnut tree and remove regrowth back to previous pruning points to 1 No Ash tree within the East Street, Littlehampton Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Walled garden.
SITE CHARACTERISTICS	The site is occupied by a Grade II Listed two-storey building which has flint elevations with red brick quoins and window dressings and a tiled, gable roof.
CHARACTER OF LOCALITY	The site is located within the Littlehampton (East Street) Conservation Area. The SPD for Conservation Areas identifies mature landscaping as one of the defining characteristics of the Conservation Area, playing a role as a unifying feature.

RELEVANT SITE HISTORY

LU/110/11/TC	Various tree surgery within the East Street, Littlehampton Conservaton Area	No Objection 01-06-2011
--------------	---	----------------------------

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

None.

CONSULTATIONS

Arboriculturist
Conservation Officer

Consultations responses received:

COUNCIL'S ARBORICULTURALIST: I Approve of the pruning of these three trees as described in the notification and see no reason to apply a TPO in this instance.

CONSERVATION AREA ADVISORY COMMITTEE: No comment.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Within Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

SPD2

Conservation Areas

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 trees in question are visible and form part of the mature landscaping which unifies the various features within the Conservation Area. It is noted that the trees are growing within close proximity of the Grade II Listed building which occupies the site.

The proposed works will not lead to the loss of the tree and, by tidying their appearance, the works will enhance the setting of the Grade II Listed building and the appearance of the

Conservation Area as a whole.

It is therefore recommended that no objections are raised against 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 amended) 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.