

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

REF NO: LU/245/13/TC

LOCATION: Land R/O 18 River Road
Littlehampton

PROPOSAL: Crown reduce & thin 1 No. Sycamore tree by 3 metres in height within the Littlehampton River Road Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
TOPOGRAPHY	Predominantly flat
TREES	The tree that is the subject of this application.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	The tree in question is considered to be situated within the rear garden of 19 River Road to the west of 18 River Road.
CHARACTER OF LOCALITY	Predominantly residential in character. There are few significantly sized trees in this part of the Conservation Area.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Littlehampton Town Council
Comments awaited.

Littlehampton Civic Society.
Objection.

The tree is visible from River Road and from the footpath to and from the railway station beside Hampton Court and has high amenity value. Works should not be too drastic.

Two letters of objection.

The best solution to the problem would be if Arun District Council or Mr. Brewster of ADC went ahead to obtain a Tree Preservation Order as the tree does make a significant contribution to visual amenity.

No reason why the height needs to be reduced, it is part of a group of trees which are visually attractive and are also extremely useful to prevent flooding in the area.

Urge that a Tree Preservation Order should be placed on the tree.

Comments on Representations received:

All comments are noted.

CONSULTATIONS

Council's Arboriculturist
Conservation Officer

Consultations responses received:

Council's Arboriculturist.

I surveyed the tree last week and consider its current unbalanced and poor condition unworthy of TPO. Had the tree not been unsympathetically lopped to provide more light for neighbouring properties then it is possible that the tree would have been considered worthy of TPO.

Comments on Consultation responses:

Comments noted.

In response to the Council's arboriculturist, the tree is considered to provide a significant visual contribution to the area even in its current state. It is therefore considered expedient to serve a Tree Preservation Order to protect the tree against any further unauthorised works.

POLICY CONTEXT

Within Built Up Area Boundary
Conservation Area
Building of Special Character

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

XXX1	Circular 36/78
XXX2	DETR TPO's A guide to Law and Good Practice

POLICY COMMENTARY

TREES

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 application is for a crown reduction and thinning of a Sycamore tree by 3m in height.

The tree in question can be seen from a number of public viewpoints, most notably the car park to the east of 18 River Road and when travelling from River Road east to west. Therefore, it is considered that the tree provides significant visual amenity to the surrounding area which has few other trees of such height and maturity. This site lies within a Conservation Area where trees form an important contribution to its special character. It is considered that the Sycamore tree positively contributes to this effect and the proposed works will unacceptably reduce its presence in this location.

It has been noted that unauthorised work has been undertaken to this tree which has diminished the crown on one side and led to its current unbalanced appearance. These works are currently being investigated with a view to taking further action by this Local Planning Authority. However, in the meantime, no further works to this tree will be agreed in order to safeguard this asset which complements the surrounding historic environment.

It is therefore considered that the application be refused and a Tree Preservation Order is placed on it.

RECOMMENDATION

OBJECTION