

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

REF NO: LU/361/14/TC

LOCATION: Westfield Court
Norfolk Road
Littlehampton

PROPOSAL: Reduce 1 No Macrocarpa tree by 3m in height & shorten sides by 1-2m, reduce 1 No Sycamore by 3 m in height & shorten sides by 2m & reduce 1 No Sycamore tree by 1.5m within the Littlehampton Seafront Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The trees the subject of this application.
BOUNDARY TREATMENT	The northern boundary consists of hedging and trees; the eastern boundary consists of a 1.8 metre high brick wall; the southern boundary abuts a garage compound, whilst the property abuts the highway on the western boundary.
SITE CHARACTERISTICS	The site features a large three storey building which provides accommodation for the elderly. The rear portion of the building is constructed of brick with rendered panels and white uPVC windows. The primary elevation is rendered with white wooden sliding sash windows and a brown tiled roof.
CHARACTER OF LOCALITY	The site is located partly within the Littlehampton Seafront Conservation Area. The surround area is predominantly residential with a mixture of properties from terrace, semi-detached and detached dwellings.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:
Littlehampton Town Council:-

No comments.

1 x Letter of Rep:-

No Objection. Seeds due to prevailing wind re root in the garden of 51 and the leaves block the guttering.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Arboriculturist

Conservation Officer

Consultations responses received:

Council's Tree Officer:-

Comments:

· The outlined trees are situated on a site with an apartment complex, with T1 and T2 on the north boundary, and T3 on the southern boundary. The surrounding landscape has a fair mix of mainly small to medium sized trees.

· The outlined trees are not TPO'ed but are in a conversation area. this report will test the outlined trees suitability for an TPO order.

· T1 has evidently had lateral reductions on the southern side (to allow vehicle access to the driveway. Also this tree has evidently had height reduction/s, which would directly correlate to the pruning activities applied for on this application. This tree does not have much aesthetical value, as the pruning has had adverse effects on the form and retention span on said tree. This tree scored an 8 on the TEMPO form - Not suitable for TPO.

· T2 has also been pruned along the southern sides to allow vehicle access to the driveway. Again this has negatively impacted this tree, as the form has been adulated to suit vehicle access. This application has also requested pruning back to the established pruning points of said tree. This tree scored a 9 TEMPO on the form - Not suitable for TPO.

· T3 has also had reduction/s historically. Unlike T1 and T2, T3 has not been pruned to allow vehicle access, so the pruning is better and the form of said tree has not effected as much as T1 and T2. This tree is visible from the highway however it does not have the presence and/or the aesthetical value to warrant a TPO order. Again the application has applied to reduced back to these previous pruning points. This tree scored a 9 TEMPO on the form - Not suitable for TPO.

Recommendation:

· As all cited trees (T1 to T3) are not suitable for TPO orders at this point in time. I would therefore have no objection to the proposed pruning operations.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designations Applicable to Site:-

Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The above policies are general and, other than online Planning Policy Guidance under references ID 36-090-20140306 and ID 36-091-20140306, 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

After examination of the boundary of the conservation area it would appear that the two trees on the northern boundary fall outside of the conservation area and as such would not need to be the subject of an application.

However, the Council have received comments from the Arboricultural Officer who has stated that none of the trees would be suitable for tree preservation Orders (TPO) at this time. Therefore, it is recommended that no objection is raised in relation 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 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.