

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

REF NO: LU/40/14/TC

LOCATION: Winterton Lodge
Goda Road
Littlehampton

PROPOSAL: Crown reduction to 2No. Holm Oaks by 3 metres and 1No. Sweet Chestnut by 1.5 metres within the Littlehampton (East Street) Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The three trees are located to the rear of the building.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The trees that form the subject of this application.
BOUNDARY TREATMENT	Flint walling, fencing, hedging and trees form the main boundary treatment.
SITE CHARACTERISTICS	A three storey building used as a nursing home. There is car parking to the front where a number of trees are located but the majority are situated to the rear in the private garden.
CHARACTER OF LOCALITY	Predominantly residential in character, there are few trees in the street scene.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Awaited.

Comments on Representations received:

None

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's arboriculturalist

Objection.

The proposed works are excessive and would undermine the amenity value of these trees and as such they are under threat and merit preservation for their amenity value alone. I strongly recommend a TPO is made to protect these three trees and thus prevent the works from being

carried out.

Conservation Area Advisory Committee

Comment. Refer to Council's arboriculturalist.

Comments on Consultation responses:

Comments noted. A Tree Preservation Order will be made on these trees in light of these comments.

POLICY CONTEXT

Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

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 forms notification for works to three trees that are situated to the rear of the nursing home. The proposed works to 1No. Sweet Chestnut and 2No. Holm Oaks are required in the interests of longevity and safety according to the applicant.

Despite the rear location of the trees within the site, the crowns of the trees are seen from Fitzalen Road. Therefore, they are considered to be visually significant and provide amenity value to the site and surrounding area.

The Council's arboriculturalist has raised an objection to the works stating they are excessive and would undermine their amenity value. There is also the recommendation to place a Tree Preservation Order on the trees to protect them from the proposed works and in recognition of

their significant contribution to visual amenity.

It is therefore recommended that an Objection be raised to the works. A Provisional Tree Preservation Order has already been served on the trees in order to protect them.

RECOMMENDATION

OBJECTION

- 1 The 2No. Holm Oaks and 1No. Sweet Chestnut trees make a significant contribution to the character and appearance of the area and without arboricultural justification the proposed works are regarded as excessive and would unacceptably affect the amenity value of the trees to the detriment of the area.