

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

REF NO: LU/73/13/TC

LOCATION: 25 South Terrace
Littlehampton
West Sussex

PROPOSAL: Re pollard 2 x Sycamore to 8m (approx) to old pruning points - Within the Littlehampton Seafront Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	As detailed in application.
BOUNDARY TREATMENT	Low stone walls.
SITE CHARACTERISTICS	Flat building.
CHARACTER OF LOCALITY	Terraced flat buildings.

RELEVANT SITE HISTORY

LU/202/99/TC	Pollard Sycamore trees in rear garden within the Littlehampton (Seafront) Conservation Area.	No Objection 24-09-1999
LU/3/03/TC	Removal of Sycamore trees within the Littlehampton Seafront Conservation Area.	No Objection 14-02-2003

REPRESENTATIONS

Representations received:

Nil

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

Council's Arboriculturist

- Sycamore is not of significant amenity value to warrant a TPO and the tree work should be allowed subject to BS3998 tree pruning standards.

Conservation Area Advisory Committee
- No objection.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

LB Grade II
Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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

The proposed works to the Sycamore trees will not adversely impact on the amenity of any neighbouring property or the character of the area.

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

report

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.