

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

REF NO: PO/4/15/TC

LOCATION: South Barn
Poling Street
Poling

PROPOSAL: Fell 1No. Horse Chestnut tree within the Poling Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The south side boundary of the site in the area where this tree is located has the appearance of a field hedgerow. The site is generally open on the frontage in the area where the tree is located.
SITE CHARACTERISTICS	The site is occupied by a chalet type dwelling with garage. To the south of the garage is a hardstanding upon which the applicant stores a caravan. The site has a number of mature trees on the boundaries/within it. The subject tree adjoins the hardstanding and appears to be in poor condition. There are other trees on the site in the vicinity of the application tree.
CHARACTER OF LOCALITY	The locality is has a rural character and development is sporadic. The area where the site is located accommodates a small group of dwellings within an otherwise rural undeveloped area. To the south of the site are arable fields.

RELEVANT SITE HISTORY

No relevant planning history.

REPRESENTATIONS

Representations received:

Poling Parish Council has not commented.

No representations have been received from nearby occupiers.

Comments on Representations received:

N/A

CONSULTATIONS

Arboriculturist

Consultations responses received:

The Conservation Area Advisory Committee has not raised an objection, but has commented that it would regret the loss of the tree although would defer to the Councils Tree Officer.

The Councils Tree Officer has advised that he has visited the site urgently as the request of the applicant as a hazard beam had formed in the upper section in the crown that threatened property (caravan) on site. Considering the condition of the horse chestnut (very poor) and the fact it did not have the attributes to warrant a TPO the applicant was given permission to fell the tree on a 5 day notice.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice 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

The subject tree was not generally visible from the surrounding area and was in poor overall condition. It made little if any contribution to the Conservation Area and was likely to have a very short retention span.

It is considered that the tree did not merit retention on either amenity or health grounds.

Whilst the tree has already been felled, in order to close the file on this application it is recommended that no objection is raised in relation to the felling of this tree.

An informative is to be added to the decision acknowledging that the tree has already been felled.

RECOMMENDATION

NO OBJECTION

- 1 **INFORMATIVE:** The decision not to object to the proposed felling of this tree has been issued in the knowledge that the tree has already been felled by prior agreement with the Council's Tree Officer due to its condition, the danger to property that results and the little if any amenity value of the tree in terms of its contribution to the appearance of the Conservation Area.