

NOTIFICATION OF WORKS TO TREES IN A CONSERVATION AREA REPORT

REF NO: SS/4/10/TC

LOCATION: Arundel Water Supply Works
Mill Lane
Arundel

PROPOSAL: Crown lift 1 branch to 1 no Common Lime within the Arundel Conservation Area
(This application also falls within the parish of Arundel)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The Lime is part of a dense belt of mature trees that border Swanbourne Lake and the grounds of Arundel Castle.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	The site is occupied by a water supply works which consists of a small reservoir and associated utility buildings and plant.
CHARACTER OF LOCALITY	The site is set back from a rural road which is lined by large trees and wetlands. Swanbourne Lake is immediately to the north whilst the grounds of Arundel Castle are situated to the east, behind a thick belt of trees.

RELEVANT SITE HISTORY

AB/78/04/TC	Work in proximity to trees within the Arundel Conservation Area (site also falls within the Parish of South Stoke).	No Objection 25-06-2004
AB/139/09/TC	To fell 15 sycamore that overhang old farm buildings and remove 1 redwood planted very close to listed building within the Arundel Conservation Area.	No Objection 18-02-2010

REPRESENTATIONS

Representations received:

Arundel Town Council

ARUNDEL TOWN COUNCIL: No objection.

Comments on Representations received:

None.

CONSULTATIONS

Council's Arboriculturalist

Conservation Area Advisory Com

Consultations responses received:

The application to crown lift the Lime tree (T1) by branch reduction and I would specify as a condition to a height not exceeding 3m is acceptable.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up Area

Within Conservation Area

South Downs National Park

Ancient Woodland

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

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 are of a minor scale and, given the use of the site by vehicles serving the water supply works, appear to be in the interests of the long term health of the tree. Although part

of a large network of trees that border Swanbourne Lake and the grounds of Arundel Castle, the tree itself is not considered to have any significant amenity value in its own right.

It is therefore considered that the Lime tree is not worthy of Tree Protection Order status and that no objection be raised to the proposed works.

RECOMMENDATION

NO OBJECTION