

WA/101/05/TC**TREES IN A CONSERVATION AREA REPORT**

DESCRIPTION/ ADDRESS	- Felling of 1 no. small tree within the Walberton Village Conservation Area Little Croft, The Street, Walberton
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	N/A
SITE AREA	Approximately of 230 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Property slightly above level of the road
TREES	Numerous other trees of mixed genus and size, other than the small tree that forms the subject of this application.
BOUNDARY TREATMENT	To the front, the boundaries are guarded by a brown brick and stone wall approximately one metre in height. To the rear, there is hedging of mixed species all over 2 metres in height.
SITE CHARACTERISTICS	A two storey detached property with bay windows and a pitched roof. There are four roof lights: two on either side of the roof. The upper half elevation consists of red brick and the lower half is smooth rendered.
CHARACTER OF LOCALITY	Predominantly residential. There are similar two storey detached properties lining The Street.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
WA/50/94/TC	Fell one Ash within the Walberton Conservation Area	No objection 22-08-1994

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Walberton Parish Meeting	Awaited
West Sussex Wildlife Protection	No felling unless dead or dangerous
Conservation Area Advisory Committee	No comment
Other	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council's Arboriculturalist	The tree is a very poor example of a Goat Willow which is a weed tree and do not believe a Tree Preservation Order is appropriate.

WA/101/05/TC**POLICY CONTEXT****DESIGNATION APPLICABLE TO SITE**

Inside Built-Up Area
Conservation Area

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC2, CH4, CH5
Arun District Local Plan : AREA1, AREA2, GEN7
DETR TPO's : A Guide to the Law & Good Practice

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
PPS7 - Sustainable Development in Rural Areas
Circular 36/78
DETR TPO's - A Guide to the Law & Good Practice
PPG15 - Planning and the Historic Environment

POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPO's, are not specific to trees.

COMMENT ON CONSULTATION RESPONSES

Noted and agreed.

COMMENT ON REPRESENTATIONS RECEIVED

Noted.

ASSESSMENT OF PROPOSAL**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 legislative background.

WA/101/05/TC**CONCLUSIONS**

The tree is not a large specimen at approximately 4 metres in height but is set within the front garden which is above the road level and consequently raises the tree to above 5 metres in height. Further, the tree is situated less than one metre from the road The Street which forms the main access into and out of Walberton. Currently, the tree comes into contact with large vehicles including buses and lorries. Consequently, passing traffic causes branches to collapse and fall onto the road.

Further, the tree is situated within a Conservation Area and therefore has special status. That is, to preserve or enhance the character of the Conservation Area in line with Supplementary Planning Guidance (2000) subsection 1.2 and 1.3. At present, the wall is bulging in the direction of the road, such that it is discernible when viewed from the side. Given time, this could lead to structural infirmity and eventual collapse with the resulting rubble on the road creating a hazard. Consequently, the Goat Willow can be regarded as potentially dangerous.

In addition, the tree occupies a prominent position within the street scene. Thus, the tree is considered to be of visual amenity value. This is especially pertinent since the road forms an important route to Walberton village and as such, contributes to its rural character. However, it is considered that the visual amenity value is not of a significant degree to qualify for retention. It should also be noted that there are numerous other examples of vegetation that will not leave a garden devoid of a contribution to the street scene. This, coupled by the extensive and much larger examples that edge the road, will ensure that the loss of the tree will be less marked. This is despite trees and vegetation at a generic level forming an important presence in sustaining the rural character of the Walberton Conservation Area.

In confirmation, the Council's Arboriculturalist is of the opinion that the Goat Willow is a very poor example and does not warrant a Tree Preservation Order.

Therefore, it is recommended that no objection be raised to the felling of the Goat Willow tree.

