

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

REF NO: **WA/70/14/TC**

LOCATION: The Red Cottage
 The Street
 Walberton

PROPOSAL: Fell 1 No Turkey Oak tree within the Walberton Village Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	The tree the subject of this application.
BOUNDARY TREATMENT	Flint wall approximately 1m in height to front boundary, supplemented by mature hedging some 2m in height.
SITE CHARACTERISTICS	Detached 2 storey dwelling, with double garage to west of the dwelling. Mature hedging and trees existing within the site.
CHARACTER OF LOCALITY	Sited within the Walberton Conservation Area. Many mature trees within the street scene.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Walberton Parish Council:-
No comment received.

Conservation Area Advisory Committee:-
Refer to tree officer.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Arboriculturist
Conservation Officer

Consultations responses received:

Council's Tree Officer:-

- Mature specimen, with a typical form for the species (good).
- Can be clearly seen from highway, important feature in the landscape (because of the size and therefore presence)
- Major unions all looked in good condition, all major limbs also looked in good order.
- No visual evidence of serious areas of decay.
- No signs of pathogenic presence.
- Although planted near boundary wall, the basal mass shows no visual evidence of impacts on the wall (lifting, cracking etc.)
- No signs to indicate this tree will not reach its full life expectancy

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designations applicable to site:-
Outside Built-up Area Boundary
Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY 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 Turkey Oak is located in the rear garden of the property and is clearly visible within the street scene. The tree has been inspected by the Council's Tree Officer and has been found to be of considerable value to the visual amenity of the area.

A Tree Evaluation Method for Preservation Orders (TEMPO) has been carried out for this tree and it has been found to be worthy of protection. Therefore, it is recommended that an Objection is

raised in relation to this application and a TPO is prepared.

RECOMMENDATION

OBJECTION