

Y/5/08/TC

**TREES IN A CONSERVATION AREA REPORT**

|                         |                                                                                                                                                              |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION/<br>ADDRESS | - Felling and surgery to various trees within the Yapton Main Road/Church Road Conservation Area,<br>Land adjacent The Olive Branch, North End Road, Yapton. |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|

**THE SITE AND ITS SURROUNDINGS**

|                                          |                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION               | As above.                                                                                                                                                                                                                                                                                                                                                                    |
| SITE AREA                                | N/A.                                                                                                                                                                                                                                                                                                                                                                         |
| RESIDENTIAL DEVELOPMENT<br>DENSITY (NET) | N/A                                                                                                                                                                                                                                                                                                                                                                          |
| TOPOGRAPHY                               | Flat.                                                                                                                                                                                                                                                                                                                                                                        |
| TREES                                    | Many species within and around the site.                                                                                                                                                                                                                                                                                                                                     |
| BOUNDARY TREATMENT                       | Front east side boundary has wall + trellis approximately 1.8m in height then open to car park, north side boundary has wall + close boarded fencing approximately 2m-2.5m in height, south side boundary has elevation of building + ivy covered wall approximately 2.5m in height, rear west side boundary has wall + close boarded fencing approximately 2m-4m in height. |
| SITE CHARACTERISTICS                     | Two storey building currently The Olive Branch Public House with garden area and car park on north side. The building has cream painted walls with green painted window frames and doors.                                                                                                                                                                                    |
| CHARACTER OF LOCALITY                    | Within the Yapton Main Road and Church Road Conservation Area. Residential comprising detached properties of various styles and designs, some of notable character.                                                                                                                                                                                                          |

**RELEVANT PLANNING HISTORY**

| REFERENCE | DESCRIPTION | DECISION |
|-----------|-------------|----------|
| None.     |             |          |

**REPRESENTATIONS RECEIVED**

| SOURCE                          | SUMMARY OF CONTENT                   |
|---------------------------------|--------------------------------------|
| Yapton Parish Council           | Awaited.                             |
| West Sussex Wildlife Protection | No felling unless dead or dangerous. |

**CONSULTATION RESPONSES**

| CONSULTEE                 | SUMMARY OF RESPONSE                                                                                                                                                                               |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Council's Arboriculturist | The only tree of any significance is the Ash tree which is on the verge, the other trees/shrubs are not worthy of a Tree Preservation Order so I have no objection to the work being carried out. |

Y/5/08/TC

**CONSULTATION RESPONSES**

| CONSULTEE                               | SUMMARY OF RESPONSE |
|-----------------------------------------|---------------------|
| Conservation Area<br>Advisory Committee | No comment.         |

**POLICY CONTEXT**

| DESIGNATION APPLICABLE TO SITE                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------|
| Within Built Up Area Boundary<br>Within the Main Road/Church Road Conservation Area<br>Class B Road<br>Building of Special Character |

**DEVELOPMENT PLAN POLICIES**

|                                                                                  |
|----------------------------------------------------------------------------------|
| West Sussex Structure Plan : LOC1, CH4<br>Arun District Local Plan : GEN7, AREA2 |
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**PLANNING POLICY GUIDANCE**

|                                                                                                              |
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| PPS1 - Delivering Sustainable Development<br>Circular 36/78<br>DETR TPO's A Guide to the Law & Good Practice |
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**POLICY COMMENTARY**

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| The above policies are general and, other than Circular 36/78 and DETR TPO's are not specific to trees. |
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**COMMENT ON CONSULTATION RESPONSES**

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|-------|
| None. |
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**COMMENT ON REPRESENTATIONS RECEIVED**

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|-------|
| None. |
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**ASSESSMENT OF PROPOSAL****DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <p>Section 211(1) of the Town and Country Planning Act 1990 states:-</p> <p><i>"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."</i></p> <p>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.</p> |
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**OTHER MATERIAL CONSIDERATIONS**

Y/5/08/TC

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 notification is for the removal of the Rhus trees although there are other species of tree around the site. The Rhus trees are sited on the grass verge adjacent to the public highway on the southern side of the building and are visible from the highway although not of any significant public amenity value.

The notification seeks to remove these trees as it is alleged that they are causing structural damage related to clay shrinkage subsidence to the rear left hand corner of the building which was identified during the summer of 2006.

The Council's Arboriculturist has visited the site and has no objection to the removal of the Rhus trees and it is therefore recommended that no Tree Preservation Order or objection be made and the works should proceed as per the notification.



**YAPTON****Y/5/08/TC**

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Felling and surgery to various trees  
within the Yapton Main Road/Church  
Road Conservation Area.

Land Adj. The Olive Branch  
North End Road  
Yapton

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**RECOMMENDATION**

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**No Objection**

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