

NOTIFICATION OF WORKS TO TREES IN A CONSERVATION AREA REPORT**REF NO:** Y/69/08/TC**LOCATION:** Church House
Church Lane
Yapton**PROPOSAL:** Fell two large Poplars within the Yapton (Church Lane) Conservation Area.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Fell two large Poplars within the Yapton (Church Lane) Conservation Area.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Raised from highway
TREES	The application involves the felling of two large Poplar trees located in the grounds of Church House.
BOUNDARY TREATMENT	Mixture of brick and flint walls, hedging and small trees.
SITE CHARACTERISTICS	The trees which are the subject of this application are located within the substantial grounds of Church House. The property is a large detached dwelling of white render and is Grade II listed.
CHARACTER OF LOCALITY	The site is within a Conservation area of a semi rural nature. There is mature vegetation screening to road verge. To the south lies a modern housing development, the Poplars. Individual properties to the north.

RELEVANT SITE HISTORY

Y/29/07: Application for the erection of a single detached dwelling and garage on land to the south of Church House, Church Lane. Refused, allowed with conditions following appeal.

REPRESENTATIONS**Representations received:**

Yapton Parish Council
Awaiting Response

West Sussex Wildlife Protection

Comment: No felling unless trees are dead or dangerous.

Comments on Representations received:

None

CONSULTATIONS

Conservation Officer

Horticulturist - Mr Everson

Chairman - Conservation Area Advisory Committee

Consultations responses received:

Arun District Council Arboricultural Officer:

The Poplars are not of significant amenity value, since they were relatively young and located very close to a wall. They also have extensive roots which could lead to future problems.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built up Area Boundary

Within Conservation Area

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1 DEV1 CH4	Locational Strategy High Quality Development Conservation Areas and Historic Towns and Villages
Arun District Local Plan:	GEN2 GEN7 GEN28 AREA2	Built-up Area Boundary The Form of New Development Trees and Woodlands Conservation Areas

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
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POLICY COMMENTARY**CONSERVATION AREA**

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character and appearance of the Conservation Area.

TREES

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**TREES CA**

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 Poplar trees are sited in the grounds of Church House. Whilst the trees are visible from Church Lane they are not considered to hold significant amenity value. Neither is their felling deemed to be detrimental to the character or appearance of the surrounding area.

The Council's arboriculturist visited the site and raised no objection to the felling of the trees.

It is therefore recommended that no Tree Preservation Order be made or objection raised and the surgery should proceed as per the application.

RECOMMENDATION

NO OBJECTION