

NOTIFICATION OF WORKS TO TREES IN A CONSERVATION AREA REPORT**REF NO:** Y/80/08/TC**LOCATION:** Jonathan Cottage
Church Road
Yapton**PROPOSAL:** Fell and remove 4 Leylandii within the Main Road/ Church Road Yapton,
Conservation Area.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Fell and remove 4 Leylandii within the Church Road Conservation Area, Yapton
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	There are several trees within the vicinity of the site, the four Leylandii to the south of the site are the subject of this application.
BOUNDARY TREATMENT	The south western boundary is formed of a curved cobbled wall with brick capping approximately 1.5 metres high. This is topped with both hedging and close boarded fencing also measuring approximately 1.5 metres.
SITE CHARACTERISTICS	The site is a two storey detached red brick property with a plain tiled roof. There is a cream rendered ground floor extension to the western elevation.
CHARACTER OF LOCALITY	The site is located in the Church Road Conservation Area, a residential road dominated by traditional detached properties. The southern boundary of Jonathan Cottage is adjacent to the B2233 Main Road, Yapton.

RELEVANT SITE HISTORY

None

REPRESENTATIONS**Representations received:**

Yapton Parish Council

Awaiting Response

Comments on Representations received:

None

CONSULTATIONS

Horticulturist - Mr Everson

Consultations responses received:

District Arboricultural Officer

No Objection: The trees are inappropriate and have not been kept as a hedge which was probably the original intention when they were planted. They are also potentially dangerous since they are situated too close to the boundary wall.

Conservation Area Advisory Committee:

No Comment

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within the Built up Area Boundary

Within a Conservation Area

Building of Special Character

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 Circular 36/78 DETR TPO's A guide to Law and Good Practice
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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

This application is for the removal of four Leylandi within the Church Road Conservation Area, Yapton. The trees are located within the garden of Jonathan Cottage, along the southern boundary of the property. They are visible from the main road and as such are deemed to be of significant amenity value.

However, upon visiting the site the District Council's arboriculturist concluded that the trees are quite inappropriate as they have not been kept as a hedge as most likely intended when they were originally planted. In addition to this, they are also sited too close to the boundary wall.

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

RECOMMENDATION

NO OBJECTION