

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (

REF NO: AB/142/14/T

LOCATION: Riverside House
2 Fitzalan Road
Arundel

PROPOSAL: Various surgery to 8 No trees

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	n/a
TOPOGRAPHY	Predominantly flat
TREES	The trees that form the subject of this application.
BOUNDARY TREATMENT	n/a
SITE CHARACTERISTICS	The trees are situated around the building which occupies a riverfront location to the north and Queens Lane to the south.
CHARACTER OF LOCALITY	Predominantly residential in character. There are several trees in the area that are visually significant apart from the subject trees in the wider area.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Arundel Town Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's arboriculturalist.

No objection.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

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 198 of the Town and Country Planning Act 1990 states:

"If it appears to a Local Planning authority that it is expedient in the interest of amenity to make provision for the preservation of trees.... they may for that purpose make an order"

The works to the trees are to be judged having regard to amenity.

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 subject trees are grouped around Riverside House and comprises of 1no. Horse Chestnut, 1no. Oak, 2no. Sycamore, 1no. Cherry and 3no. Leylandii trees. The trees offer some visual amenity to the surrounding area, particularly the Sycamore (T4) to the south where it fronts Queens Lane.

The works being proposed primarily seeks to reduce the size of the trees in the interests of good maintenance apart from the felling of 3no. Leylandii trees (on plan as Td, Te and Tf) which are of limited visual amenity value. The felling of this group of trees will not lead to a demonstrable loss of amenity, especially given other larger trees which are located in the wider area.

The Council's arboriculturalist has no objection to the works. Many of the proposed works will take the growth back to past pruning points.

It is therefore considered that the application be approved subject to the following condition.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby permitted shall only comprise the removal of the 5 lowest branches on the north facing stem and a lateral reduction of 1.5 meters only for 1no. Horse Chestnut tree (T1), a 5 metre height reduction only for 1no. Oak tree (Ta), a 6m height reduction only for 1no. Sycamore (Tb), a 4 metre height reduction only for 1no. Cherry tree (Tc), a 6 metre height reduction only for 1no. Sycamore (T4) and the felling and removal of

stumps for 3no. Leylandii trees (Td, Te and Tf).

- 2 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 3 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 4 INFORMATIVE: The applicant is advised of the comments made by the Council's arboriculturalist in respect to the works as follows:-

Crown reduction

All side branches to be retained should be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and should not exceed 100mm in diameter.

Crown Clean

The Crown Clean should consist of deadwood and stub removal where all cuts should be made to the branch collar. Where crossing branches are encountered the weaker branch/branches should be reduced or removed to avoid contact between them. The remaining branch/branches should be shortened as appropriate to relieve 'end weight' and sudden exposure by reducing the leaf bearing branch tips by no more than 30%.

Crown Lift

Branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.