APPLICATION REF: AL/33/06/T

TREE WORKS TO TPO TREES REPORT

DESCRIPTION/ ADDRESS	-	Prune east side of crown to reduce spread by 3m. Raise crown by 2m and remove major dead branchwood to 1 no. Oak Tree, 4 Beech Close, Aldingbourne.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Rear garden is approximately 2m higher than the main road Westergate Street.
TREES	The tree the subject of this application, as well as additional mature and semi-mature trees are situated in the rear gardens of 4 & 7 Beech Close.
BOUNDARY TREATMENT	South side boundary has hedging approximately 2m in height, side north boundary has tree screening 2m-3m in height, rear boundary has wall + close boarded fencing approximately 1.5m-2m in height.
SITE CHARACTERISTICS	Bungalow with attached garage, wooden shed in rear garden. The walls have light brown brickwork with a brown tiled roof.
CHARACTER OF LOCALITY	Semi-detached and detached bungalows in close, semi-detached and terraced properties in vicinity.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
AL/74/96/T	Lop two Oak tree.	Approved/Conditionally 29-11-1996.

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Aldingbourne Parish Council	Awaited.
West Sussex Wildlife Protection	Comment regarding nesting birds.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council's Arboriculturist	The proposed reduction to the crown is acceptable for the health of the tree.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built Up Area Boundary

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POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Tree Preservation Order 2/69 AL

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1
Arun District Local Plan : GEN7

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
Circular 36/78
DETR TPO's: A Guide to the Law & Good Practise

POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPO's are not specific to trees.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

If approved an informative will be placed on the decision notice regarding the Wildlife and Countryside Act 1981 re the nesting of birds.

ASSESSMENT OF PROPOSAL

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/other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The Oak tree is a mature specimen and is sited on the rear westerly boundary of the site and the branches are overhanging the public highway in Westergate Street. The height of the tree is well above the bungalow roof and the branches on the east side are causing problems to the occupants of the property.

The reduction of the tree is considered to be for good husbandry purposes and for public safety and would not have a detrimental impact upon the amenity value of the tree.

It is therefore recommended that the application should be granted consent, subject to the conditions

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CONCLUSIONS

set out overleaf.

ALDINGBOURNE AL/33/06/T

Prune east side of crown to reduce spread by 3m. Raise crown by 2m & remove major dead branchwood to 1 No. Oak tree

4 Beech Close
Westergate

RECOMMENDATION

Approve Conditions

1 The work hereby approved shall be undertaken under the supervision of the Local Planning Authority who shall be notified in writing, not less than 7 days before the work commences.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

2 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

3 The works hereby approved shall involve the pruning of 1 Oak tree east side of crown to reduce spread by 3m, raise crown by 2m and remove major dead branchwood. All works shall be carried out in accordance with BS3998: 1989 Recommendations for Tree Work.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity in accordance with Policy DEV1 of the West Sussex Structure Plan and Policy GEN7 of the Arun District Local Plan.

ALDINGBOURNE AL/33/06/T

4 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.