

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (**REF NO:** AL/41/15/T**LOCATION:** Westergate Mews
Nyton Road
Westergate**PROPOSAL:** Reduce tips of branches extending over car park & driveway to North by 2-3m to
1 No Holm Oak tree.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Holm Oak tree the subject of this application.
BOUNDARY TREATMENT	Front and side boundaries a mixture of fencing, walls and established planting.
SITE CHARACTERISTICS	Grade II Listed Building. The two storey building is L-shaped with porch. Apartments and terraced properties within the site of similar style and design.
CHARACTER OF LOCALITY	Main road with residential comprising apartments and terraced properties within Westergate Mews. Mixture of detached and semi-detached properties in the immediate vicinity. Petrol Filling Station to north of site.

RELEVANT SITE HISTORY

AL/108/07/T	Surgery to 4 Holm Oaks and 2 Horse Chestnut trees.	ApproveConditionally 30-11-2007
AL/55/08/T	Fell two Holm Oak trees	ApproveConditionally 13-08-2008
AL/127/09/T	T1-Holm Oak - Reduce tips of branch by 3m on northern side of crown. Reduce rest of northern crown by 3m to balance canopy.	ApproveConditionally 03-02-2010
AL/56/12/T	70% reduction of re-growth from pollard point at 11.5m on the southern stem (approx. 3.5m	ApproveConditionally 09-07-2012

- 4.5 removed from each stem) of 1no. Holm Oak

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

No objection

Comments on Representations received:

None

CONSULTATIONS

Arboriculturist

Consultations responses received:

Tree Officer

T1 Species: Holm Oak Quercus ilex Height: 12 meters Average Branch Spread: 6 meters
Crown Condition: fair Form: fair to poor Age Class: mature

The tree highlighted in the application is located along the main driveway to Westergate Mews. T1 is visible from the main highway (A29) outside. From the site inspection, it is quite apparent there is a large wound present at 3.5 meters height on the main stem of T1. The applicant has stated there has been a climbing inspection completed of this wounding, which has found. The applicant has applied to reduce the northern flank of T1 by no more than 3 meters. From the site inspection it is also clear that the Northern flank of T1 has already had a previous reduction. These previous reduction/s does emulate the applied for reduction. The applicant has justified the need for this pruning operation, as 'to further reduce likelihood of branch or stem failure resulting in injury or damage to property'. I would agree with this statement as from the site inspection it is clear that the basal area of T1 has tapered heavily. This formation could lead to spiral cracks, hazard beams, and ribbing forming throughout the main stem. The applicants suggested reduction of 3 meters to the northern side, is likely to reduce the potential systemic failures occurring.

I would have no objection to the proposed operation of a reduction to the northern side of T1, of no more than 3 meters. The following conditions must be adhered to;

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%.

Comments on Consultation responses:

Tree Officer comments noted, subject to conditions.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Class A Road
Grade II Listed Building
Tree Preservation Order AI/1/72

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

Westergate Mews has various mature and semi-mature trees within and around the site and the application seeks to reduce the Holm Oak tree noted as T1 on the submitted survey plan. It is a mature specimen of a significant height and spread and is visible to the front of the site being of public visual amenity value.

The Holm Oak tree is sited adjacent to the parking area and main driveway. Reduction of the tree had previously been carried out under application AL/127/09/T and this application seeks to reduce the tips of branches by 2m-3m. A site inspection by the Tree Officer has revealed that the northern flank had previously been reduced and there is a large wound present at a height of 3.5m on the main stem. He has raised no objection to the reduction of 3m to the northern side which is likely to reduce potential systemic failures occurring.

It is therefore recommended to approve the application, subject to conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The works hereby approved shall involve:

Holm Oak (T1) - Reduction on the northern side by no more than 3m.

Crown Reduction

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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%.

Reason: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

- 2 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.

- 3 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.

- 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.

- 5 **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.