

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

REF NO: **AW/105/15/T**

LOCATION: Land to the rear of 37 Fernhurst Gardens
 Aldwick

PROPOSAL: Remove 1 No. dead branch overhanging rear garden of 1 No 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 Oak tree the subject of this application but various trees within and around the site.
BOUNDARY TREATMENT	Front has dwarf wall, side and rear boundaries close boarded fencing.
SITE CHARACTERISTICS	Two storey with front dormer, flat roof extension on rear. The property has brick/rendered elevations with wood affect detail, tiled roof and white window frames.
CHARACTER OF LOCALITY	Residential road with predominantly detached two storey properties of various styles and designs.

RELEVANT SITE HISTORY

AW/16/96/T	Lop one field maple	ApproveConditionally 01-03-1996
AW/206/01/T	Fell one Crab Apple tree and prune one Lime tree	ApproveConditionally 23-11-2001

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection

Members agreed that the Arun Arboriculturist should be consulted regarding the application and that his recommendations/decision be applied.

Comments on Representations received:

None.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Tree Officer

T1 Species: Oak Quercus spp Height: 23 meters Average Branch Spread: 6 meters Crown Condition: good Form: good Age Class: mature

The outlined trees in this application are situated in the in the high amenity area of Aldwick. The surrounding landscape of this private estate has a rich mix of trees of varying age classes and of a differing species mix. The tree cited in this application is located in a ditch line to the rear of 37 Fernhurst, as part of a further linear belt.

The applicant has applied to remove a single branch that spans to the north east and that overhangs the rear garden of 37 Fernhurst Gardens. It is clear from the site inspection that this branch is in quite a poor condition. The removal of the cited branch is unlikely to have any lasting effect on the aesthetic value and/or form offered by T1.

As the cited operation is unlikely to have any lasting adverse effects to T1, I would have no objection to the proposed operation of removing an overhanging dead limb spanning to the north east.

The following condition 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
Tree Preservation Order

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 Oak tree which is covered by Tree Preservation Order AW/2/96 and is sited in a ditch line to the rear of No 35 Fernhurst Gardens and although visible to neighbouring gardens is not considered to be of significant public visual amenity.

The application seeks to remove a single branch that spans the north east and is overhanging the boundary fence of No 37. A site inspection by the Tree Officer has revealed that the branch is in a poor condition and he has raised no objection to its removal.

It is therefore recommended that the application be approved, subject to conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The works hereby approved shall involve:

Oak - Removal of dead limb spanning to the north east.

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%.

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

- 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.

- 3 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.

- 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.