

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

REF NO: **AW/106/14/T**

LOCATION: 9 & 10 Faresmead
 Aldwick

PROPOSAL: Remove length by 4 metres and height from ground by 4 metres to 4 No Hornbeam and 2 No Beech Trees.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The trees the subject of this application.
BOUNDARY TREATMENT	The boundary treatment of the property consists of a 1.8m close boarded fence.
SITE CHARACTERISTICS	The property is located upon a corner plot and is a detached brick built two storey dwelling.
CHARACTER OF LOCALITY	Residential Cul-de-sac comprising of primarily two storey detached dwellings of similar style and design.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council:-

Members agreed that the Arun Arboriculturalist is consulted regarding this application and that his recommendations/decision is applied.

Comments on Representations received:

Noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's Arboriculturalist:-

Grp 660 2 x Beech and 4 x Hornbeams

Height = 10 to 12m Radial Branch Spread = North 7m Age = Semi Mature

? This is a young hedge line which has been allowed to develop beyond normal hedge proportions into tree form

? The branch spread to the north side over the garden of No 14 is low and excessive and causing significant nuisance.

? These tree would cope with hard pruning back and there is plenty of live growth to cut back to and they would readily respond to this pruning work.

? The tree owners consent will not be required in this instance as the work will all be carried out on the applicants side of the hedge and have no impact on the owners and will not require access to their garden to carry out the works.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

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 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 trees are located along the rear boundary of the property and are clearly visible from the

public walkway providing considerable public visual amenity.

However, the Council's Arboriculturalist has identified that the branch spread to the north is causing considerable nuisance. The works proposed are deemed acceptable and it is felt that the trees would cope with the proposed hard pruning with plenty of live growth to cut back to.

Therefore, the proposed works to these trees are approved subject to conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby approved to these 2 x Beech and 4 x Hornbeams shall involve the cutting back of the branches overhanging the garden by 4m and establish a ground clearance of 4m. Where whole branches are to be removed final cuts close to the trunk or branch union are to be made as shown in Figure 2 of BS3998:2010 and all branches which need to be shortened are to be cut at the correct angle and adjacent to a live bud or lateral as defined and illustrated in BS3998:2010.

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