

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (**REF NO:** **AW/108/14/T****LOCATION:** 233 Manor Way
 Aldwick**PROPOSAL:** Fell 1 No Eucalyptus tree**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Dwarf wall plus soft landscaping to front boundary 1.5m in height, mixture of close boarded fencing plus hedging/tree screening to sides and rear of site.
SITE CHARACTERISTICS	Detached two storey property which has previously been extended, integral double garage, conservatory on rear. The walls have reddish/brown brickwork with a brown tiled roof.
CHARACTER OF LOCALITY	Within the Aldwick Bay Conservation Area. Private Residential Estate comprising detached properties on large plots of various styles and designs, some of notable character.

RELEVANT SITE HISTORY

AW/21/08/T	Reduce Purple Plum tree by 20%	ApproveConditionally 25-03-2008
AW/64/08/TC	Fell one Leylandii and lop two Bay trees within the Aldwick Bay Conservation Area.	No Objection 18-04-2008
AW/71/13/TC	Remove 1 no Lawson Cypress and 1 no. Monterey Cypress tree within the Aldwick Bay Conservation Area.	No Objection 17-05-2013

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council:

Objection - Members strongly object to the application on the grounds that the tree is not diseased. Members suggest that pruning would represent good husbandry.

Comments on Representations received:

Noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's Arboriculturalist:

Gum Tree Eucalyptus species Height = 14m Ave spread = 5m Age = Semi Mature

? This tree is a significant distance from the rear building line of the property and does not pose a risk to same

? However, I have looked at this tree before and refused pruning and recommended that they consider removal instead and at that time the tree was in good health - it has now suffered significant foliage dieback from the past Winters storms and is in a poor state.

? I would have no objection to its removal but would wish to see a replacement tree at this location.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Within Conservation Area
Tree Preservation Order 2/58

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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 application seeks to fell 1 No. Eucalyptus tree located in to the rear of the property. The tree is sited behind the property but is visible within the street scene due to its substantial height.

The Council's arboriculturalist had inspected this tree and does not believe it poses a risk to neighbouring properties. However, he has inspected this tree previously and refused pruning instead recommending removal despite the tree being in good health at the time. The Council's arboriculturalist has inspected the tree again and identified significant foliage dieback due to the winter storms and as such has confirmed the tree is in a poor condition. Therefore, subject to the tree replacement with a tree of appropriate species and size the felling of the tree is recommended for approval.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The felling of this 1 No. Eucalyptus tree is hereby approved, subject to a replacement tree being planted at the same location - to be a Standard Nursery Stock size of tree 8 - 10 feet tall and 8 to 10cm circumference and of one of the following species:-

Swedish Birch - *Betula pendula* 'Dalecarlica'
Caucasian Wingnut - *Pterocarya fraxinifolia*
Japanese Crab - *Malus floribunda*

Reference the tree planting :

Bare root trees can only be planted between October and the end of March the following year but containerised stock can be planted at any time of year but may require more watering in than bare root stock.

Reasons: In the interests of 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.