

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

REF NO: **AW/109/14/T**

LOCATION: Speedwell
 53 Kingsway
 Aldwick

PROPOSAL: Fell 1 No Irish Yew tree, crown reduction of 2.5 metres, lateral reduction of 1.5 metres and remove reverted green suckers to 1 No Golden Holly tree and 1 No Silver Holly tree. Reduce 2 No Irish Yew trees by 1 metre and prune back one limb to 1 No Magnolia tree by 2 metres.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees which is the subject of this application but also various trees within and around the site.
BOUNDARY TREATMENT	Forward of the primary elevation there is some 1m high close boarded fencing and trellis. The rear garden of the property is enclosed by a 1.8m high close boarded fencing and a 1.8m brick wall.
SITE CHARACTERISTICS	The building is a large semi-detached brick built property with a two storey flat roofed side extension rendered white.
CHARACTER OF LOCALITY	Within the Craigweil House Conservation Area and Area of Special Character. Private residential estate comprising detached properties of various styles and designs, some of notable character.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Aldwick Parish Council
Aldwick Parish Council:-

Members agreed that the Arun Arboriculturalist is consulted regarding this application and

report

that his recommendations/decision is applied.

Conservation Area Advisory Committee:-

No Comments.

Comments on Representations received:

Noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's Arboriculturalist:-

I raise no objection to the following works as this will help them renovate the garden and give other plants room to expand and develop more fully :-

Irish Yew *Taxus baccata* 'Fastigiata' - located in the front garden at the left hand corner of the house - FELL

Magnolia *Magnolia soulangeana* - in centre of front garden - shorten back branch to the east side by 2m

Hollies x 2 *Ilex* species (Golden & Silver) - in rear garden - reduce height by 2.5m and lateral spread by 1.5m + remove any reverted shoots

Irish Yews x 2 *Taxus baccata* 'Fastigiata' - located in the rear garden - reduce and reshape by 1m overall

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Within the Craigweil House Conservation Area
Art 4 Direction
No Public Sewer
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

A number of the trees present upon the site are clearly visible within the street scene, providing a considerable amount of public visual amenity. Most notable of these trees is the magnolia located forward of the primary elevation of the property.

The Council's Arboriculturalist has assessed the proposed works and has determined them to be acceptable on the basis that this will help with the renovation of the garden and give other plants room to expand and develop fully.

Therefore, subject to conditions this application is recommended for approval.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby approved shall involve the felling of 1x Irish Yew; Crown reduction and reshaping of 2x Holly Trees and 2x Irish Yews; and pruning back one limb of the Magnolia. 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.