

TREE WORKS CONSENT REPORT

REF NO: **AW/130/10/T**

LOCATION: 44 Chawkmare Coppice
Aldwick

PROPOSAL: Fell 1 no. Leylandi to ground level and pollard 1 no. Willow to re-balance.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this application but various trees within and around the immediate vicinity.
BOUNDARY TREATMENT	Rear boundary has close boarded fencing + hedging approximately 2.5m in height, side boundaries close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached two storey property with detached double garage to front with concrete driveway. Wooden garden shed and child's playhouse in garden. The property has white render on lower level, wooden shiplap on upper level with a brown tiled roof.
CHARACTER OF LOCALITY	Residential comprising detached two storey, chalet style and bungalows of various styles and designs.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Support

Members unanimously supported this application.

1 Letter of objection from The West Sussex Wildlife Protection Group, no felling, etc due to nesting birds.

Comments on Representations received:

Noted.

If approved, an informative will be placed on any approval regarding nesting birds and bats.

CONSULTATIONS

Tree Officer

Consultations responses received:

Tree Officer

The conifer is young and obscured by and partly suppressing T2 Weeping Willow and not old enough to be protected by the 1958 TPO or worthy of protection and I accept the request for its removal.

The Willow tree has suffered with the recent high winds where a large branch has fractured. Pollarding individual branches to bring the height down to between 5m-7m from ground level and lateral extensions to points within the crown, as described to Mr Smith the applicant on site. It is recommended and I accept the work proposed.

Comments on Consultation responses:

Noted and agreed.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary
PDR - Open Plan Condition
Tree Preservation Order 2/58

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2 GEN7 DEV19	Built-up Area Boundary The Form of New Development Extensions to existing residential buildings
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PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
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SUPPLEMENTARY POLICY GUIDANCE

XXX1	Circular 36/78
XXX2	DETR TPO's A guide to Law and Good Practice

POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPOs, 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 Leylandi and Willow tree are sited in the rear garden on the southern side boundary and are not readily visible from the front of the site in Chawkmare Coppice.

The application is for the removal of the Leylandi tree as it has become too large for its present location and pollard the Willow tree to rebalance to approximately 4.5m above ground level.

The Council's Arboriculturist has visited the site and inspected the trees and he has raised no objection to the removal of the conifer tree and pollarding of the Willow tree.

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

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 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 in accordance with policy GEN7 of the Arun District Local Plan.

- 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 in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The works hereby approved shall involve the felling of 1 Leylandi and pollarding of 1 Willow tree to rebalance. All works shall be carried out in accordance with BS3998: 1989 Recommendations for Tree Work.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity in accordance with Policy GEN7 of the Arun District Local Plan.

- 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.