Recommendation Report for Prior Notification of Work to Tree(s) in a Conservation Area

REF NO: **AW/151/16/TC**

LOCATION: Verge in front of
1 The Drive
Aldwick

PROPOSAL: Fell 1 No. Holm Oak tree & reduce boughs over highway by up to 3m to 1 No. Holm Oak tree within the Craigweil House Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
TOPOGRAPHY	Predominantly flat
TREES	Various trees including the ones forming part of this application.
SITE CHARACTERISTICS	Verge to front of detached corner plot dwelling.
CHARACTER OF LOCALITY	Suburban-residential seaside location formed mainly of detached houses and row of shops. Various mature trees.

RELEVANT SITE HISTORY

AW/163/04/T	Application to reduce the crowns of 2no. Holm Oak trees by 30%, reduce the height of 2no. Leyland Cypress trees by 30% and to reduce the height of the east stem of 1no. Holm Oak tree by 5m.	Refused 24-09-2004
AW/238/04/T	Application to reduce crowns of 3 no. Holm Oak Trees by 20% and clean the crowns of dead and broken branchwood	ApproveConditionally 22-12-2004
AW/216/11/T	Various tree surgery	ApproveConditionally 26-10-2011
BR/211/73/T	One Macracarpa	Approve 03-04-1973

None directly relevant.

REPRESENTATIONS

Representations received:
No response.
Comments on Representations received:
N/A

CONSULTATIONS

Arboriculturist
Conservation Officer

Consultations responses received:

ARBORIST

Comments:

· The specimens outlined in this application are located on grass verge outside the front of 1 The Drive Aldwick.

· For G1, the applicant has applied to re-coppice the three stems to stool level. The applicant has cited the unions between stems and the host stool being poor.

· For T2, the applicant has applied to reduce the western spanning limbs by up to 3 metres over the abutting highway (barrack lane). From the site inspection it was evident that T2 has received previous reduction/s that emulates the proposed reduction operation.

Recommendation:

· For G1, I would have no objection to the proposed re-coppicing of the three stems to form a coppice stool.

· For T2, I would have no objection to the reduction of the western lateral extensional growth by no more than 3 metres.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Conservation Area.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice 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 211(1) of the Town and Country Planning Act 1990 states:-
'Subject to the provision of this section and Section 212, any person who, in relation to a tree to which this section applies, does any act which might by virtue of Section 198(3)(a) be prohibited by a Tree Preservation Order shall be guilty of an offence.'
It is a defence to have provided notification to the Local Planning Authority 6 weeks in advance of

any works. This is to enable the Local Planning Authority time to consider making a Tree Preservation Order.

CONCLUSIONS

The Council's Arborist has no objections to the works and felling as the tree would not warrant a TPO and the works are not considered to harm the visual amenity of long term health of the remaining tree.

The application is recommended for no objection.

RECOMMENDATION

NO OBJECTION

1 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.

2 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.