

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

REF NO: **AW/157/12/T**

LOCATION: 74 Barrack Lane
 Aldwick

PROPOSAL: 2m Crown Lift to 1 Sycamore tree, 2 no. Hornbeam trees 2m Crown Lift over garden and 4m overhanging highway and driveway, Willow tree Crown Reduction of between 2m-3m and a Crown Raise of 2m, 2m Crown Reduction and 4m Crown Lift of branches overhanging the highway to 1 Beech tree.

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 site.
BOUNDARY TREATMENT	Front has wall with wooden infill panels, rear and side boundaries close boarded fencing + hedging.
SITE CHARACTERISTICS	Detached two storey property with triple garage and dormers above. The property has smooth rendered walls painted white, red tiled roof with brown window frames.
CHARACTER OF LOCALITY	Residential road comprising detached properties of various styles and designs.

RELEVANT SITE HISTORY

AW/100/94/T	Lopping of 2 Hawthorn, 1 Beech and 2 Hornbeam trees	Approve Conditionally 26-09-1994
AW/139/97/T	Crown thin and tidy one Silver Birch, dead wood and tidy one Apple Tree and two Hawthorns	Approve Conditionally 03-10-1997

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection

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

his professional recommendation/decision is applied.

1 Letter of Objection

The West Sussex Wildlife Protection Group opposes the application on the basis that no tree surgery due to nesting birds or unless dead or dangerous.

Comments on Representations received:

See Arboriculturist's recommendation.

Objection comments noted

If approved, an informative will be placed on any decision regarding the Wildlife and Countryside Act in relation to nesting birds and bats during the months between April to September.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's Arboriculturist

The application refers to several trees highlighted for pruning work to a Sycamore, 2 Hornbeams, a Beech and Willow. The applicant has not provided a reason for the work and will be judged on the necessity for practical purposes. The British Standards for Tree Work does not recommend multiple pruning operations on the one tree. The Sycamore tree for example is highlighted for a crown reduction, crown thin and crown raise. Carrying out all three operations in one growing season is excessive and, apart from the 2m crown lift for access, is without justification. There is a requirement to provide free access for high sided vehicles using Barrack Lane and where a crown lift between 4m-5m of branches obstructing the highway and driveway and by 2m elsewhere for the Hornbeam trees. The Willow tree located close to the property requires pruning for practical reasons and the proposal for crown reduction of between 2m-3m and a 2m crown raise is acceptable.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Tree Preservation Order AW/3/94

Class C Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [AREA1](#) Areas of Special Character

PLANNING POLICY GUIDANCE

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 Sycamore, Hornbeam, Willow and Beech trees the subject of this application are covered by Tree Preservation Order AW/3/94.

The two Hornbeam trees are sited to the front of the site and are of a significant size and height and of public visual amenity and the application seeks to raise canopy on the garden side by 2m and 4m on the road side. The Willow tree is sited within the front garden on the southern side boundary and is visible to the front of the site and the application seeks to crown raise and reduce as it is sited close to the property. The Sycamore tree is sited in the rear garden on the southern side boundary and is not readily visible to the front and the application seeks to reduce height and crown thin. The Beech tree is sited to the front in the north east corner adjacent to the road and is of public visual amenity and the application seeks to crown thin by 20% and crown lift branches overhanging the highway.

The Council's Arboriculturist has inspected the trees and has agreed the surgery to the Hornbeams, Sycamore and Willow trees. However, he has recommended that a crown thin by 20% to the Beech tree is excessive and he has recommended a maximum crown reduction of 2m be allowed with a crown lift of between 4m-5m of branches obstructing the highway. The applicant has been consulted and has agreed to the recommendation.

It is therefore recommended that the application be approved, subject to 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:

Sycamore - 2m Crown Lift.

Hornbeam (2) - Raise lower canopy by 2m on garden side, crown lift between 4-5m of branches obstructing the highway.

Willow - Crown reduction of between 2m-3m and 2m crown raise.

Beech - Crown reduction, 1m branch lengths to be removed. Reduction must not exceed a 2m width to create a shallow channel west to east across the upper crown periphery. The location of the above portion to be pruned is directly above the main stem of the Beech tree and must not deviate.

All pruning wounds must not exceed 50mm in diameter. The pruning cuts must be made smooth, clean and to substantial side branch growths. Crown lift between 4-5m of branches obstructing the highway.

All works shall be carried out in accordance with BS3998:2010 Recommendations for Tree Work.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of retaining good health and 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.