TREE WORKS CONSENT REPORT

REF NO: **AW/163/09/T**

LOCATION: Beach Close
Aldwick Bay Estate
Aldwick

PROPOSAL: Reduce height of 3 no. Lombardy Poplar trees to approx 9m and remove dead wood. Reduce/remove stems from 2 of the trees

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	Three no. Lombardy Polar trees.
BOUNDARY TREATMENT	The open grass verges. A mixture of flint walls, close boarded fencing and hedging on the front boundaries of the properties in Beach Close.
SITE CHARACTERISTICS	The site is located in a small residential cul-de-sac on a private estate with predominantly large detached two storey dwellings set in spacious gardens.
CHARACTER OF LOCALITY	As above. It it should be noted that the site is also located within the Aldwick Bay Conservation Area.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:
Aldwick Parish Council
No Objection.
Comments on Representations received:
Awaited

CONSULTATIONS

Horticulturist
Conservation Area Advisory Com
Consultations responses received:
District Arboriculturist:
The application refers to three large Lombardy Poplar trees on the verges at Beach Close,

which have been pruned in the past, and now need further pruning to compensate for the large amount of growth which has been put on since last attended to.
This will entail the reduction of the height of the main high limbs, reducing them to approximately 9m in height and additional works to prune out dead and damaged branches. I agree with that the work be undertaken, for good management and to ensure the safety of the trees.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area
Conservation Area
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	AREA2	Conservation Areas
	GEN28	Trees and Woodlands

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development

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

This application seeks to reduce the height of three Lombardy Poplars to approximately 9m at Beach Close.

The trees subject of this application are located on grassed areas adjacent to the highway, and are a prominent feature in the street scene, contributing to the character of the Conservation Area. Therefore the trees are deemed to be of significant amenity value, and any works should be carried out in the interests of the health and appearance of the trees.

The District Arboriculturist has been consulted and has advised that the trees need pruning to compensate for the large amount of growth in recent years; the work should be undertaken for the good management of the trees.

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 works hereby approved shall only involve those works outlined in the letter submitted with the application from the Aldwick Bay Estate Company, dated 9th September 2009.

Reason: In the interests of the visual amenities and appearance of the locality, in acccordance with policies AREA2 and GEN7 of the Arrun District Local Plan.

3 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.

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 amendd) 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.