

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

REF NO: **AW/177/15/T**

LOCATION: 4 Wychwood Walk & Verge Adjacent 8 Kingsway
Aldwick

PROPOSAL: T1 Malus - Remove areas & split limbs damaged by lorry accident. T2
Macrocarpa - Reduce length of several limbs to north side of tree by 1.5m

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat
TREES	The estate is lined with various trees including the Malus and Macrocarpa which form part of this application.
BOUNDARY TREATMENT	Hedges and trees of various sizes line the estate.
SITE CHARACTERISTICS	Both areas where trees are sited are verges forming part of the private estate.
CHARACTER OF LOCALITY	Seaside suburban residential private estate.

RELEVANT SITE HISTORY

AW/311/12/T	Fell 2 No Oak trees, fell 2 No Leylandi trees, fell 2 No Cherry trees, fell 2 No Hawthorn trees, fell 1 No Malus tree, fell 1 No Robinia tree, prune back growth over road by 2m to 1 No Acer tree, lift crown by 2.5 m to 1 No Lime tree and remove 2.5-3m tip growth to 1 No Macrocarpa tree	ApproveConditionally 12-03-2013
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None relevant.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Arborist

·The submitted application refers to two trees that have suffered from abiotic damage from passing vehicles. This conclusion has been made due to the position of the damaged branches (over the highway), and the given height of the damaged branches (between 2.5 and 5.5 meters).

·For T1, the applicant has applied to remove the 3 lowest limbs facing the highway. From the site inspection it is clear that T1 has suffered abiotic damage to the 3 lowest limbs that span towards the highway.

·For T2, the applicant has applied to reduce the northern side of T2 by 1.5 meters. From the site inspection, it is clear there are a number of limbs that have suffered from abiotic damage. The applicants request to reduce the northern spread by 1.5 meters is likely to reduce the chance of further abiotic damage suffered.

Recommendation:

·For T1, I would have no objection to the proposed operation of the removal of the 3 lowest limbs spanning towards the highway, which have suffered from abiotic damage.

·For T2, I would have no objection to the proposed operation of the reduction to the northern side of T1 by no more than 1.5 meters

·The following conditions must be adhered to when completing the proposed operation;

Conditions:

Crown Reduction

All side branches to be retained should be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and should not exceed 100mm in diameter.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

Crown Clean

The Crown Clean should consist of deadwood and stub removal where all cuts should be made to the branch collar. Where crossing branches are encountered the weaker branch/branches should be reduced or removed to avoid contact between them. The remaining branch/branches should be shortened as appropriate to relieve 'end weight' and sudden exposure by reducing the leaf bearing branch tips by no more than 30%.

REASON: In the interests of the trees continued health and vitality and to accord with current

industry guidelines and sound arboricultural practice.

Crown Lift

Branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

Comments on Consultation responses:

Comments noted. The conditions are considered to be reasonable to include.

POLICY CONTEXT

Designation:

Adopted Local Plan
Tree Preservation Order
No Public Sewer

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 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 Council's Arborist has concluded that the works to the TPO trees be acceptable following the damage be vehicle, should conditions be imposed on the approved application.

It is considered that should the works be carried out in line with the attached conditions that the visual amenity of the area will be protected and the tree lifespans preserved.

As such the application is recommended as no objection subject to conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 All side branches to be retained should be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and should not exceed 100mm in diameter.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

- 2 The Crown Clean should consist of deadwood and stub removal where all cuts should be made to the branch collar. Where crossing branches are encountered the weaker branch/branches should be reduced or removed to avoid contact between them. The remaining branch/branches should be shortened as appropriate to relieve 'end weight' and sudden exposure by reducing the leaf bearing branch tips by no more than 30%.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

- 3 Branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

- 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.