

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

REF NO: **AW/179/15/T**

LOCATION: 4 Seabrook Close
 Aldwick

PROPOSAL: Reduce canopy of upper broughs & branches by 2m to 1 No. Silver Birch tree.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A.
RESIDENTIAL DEVELOPMENT DENSITY	N/A.
TOPOGRAPHY	Predominantly flat
TREES	The Silver Birch tree the subject of this application and various trees adjacent.
BOUNDARY TREATMENT	1.8m high close boarded fence to the eastern side. Low 1m approx. hedge to the road frontage (west).
SITE CHARACTERISTICS	Existing front garden to this 1.5 storey detached dwelling. There is a small shed adjacent.
CHARACTER OF LOCALITY	Residential cul-de-sac comprising detached two storey properties and bungalow of different types with an open plan aspect.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

"NO OBJECTION. Members agreed that the Arun Arboriculturist should be consulted regarding the application and that his recommendations/decision be applied."

Comments on Representations received:

Noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

ADC Arboriculturist - "The tree cited in this application is standing in the garden of 4 Seabrook Close on the boundary with a neighbouring property. T1 is easily visible to the public from the highway outside.

From the site inspection it is clear that T1 is suffering from slight suppression to the lower section of T1 (from the neighbouring hedge line). This has caused the upper half of the canopy to compensate and put on extra lateral growth extensions; whilst lower half of the canopy branches have reduced in lateral spread.

The applicants request to reduce the top half of the crown lateral extensional growth is likely to reduce the chance of failures occurring to these elongated upper limbs. I would however object to the amount the applicant has requested for removal. I would suggest a lateral reduction of no more than 2 meters to the outlined section of upper canopy.

Recommendation:

I would like to object to the amount the applicants wish to reduce T1 by, and would advocate a lateral reduction of no more than 2 meters as a more suitable reduction to undertake to T1."

Comments on Consultation responses:

The applicant agreed to the request to amend the reduction to 2m. As such, the conditions provided in the consultation response will be imposed.

POLICY CONTEXT

Designations applicable to site:

Built Up Area Boundary; and
Tree Preservation Order.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY 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 application seeks to reduce the lateral spread of the upper canopy. They have stated that the tree currently drops branches onto the neighbouring property and as such the works are required for safety reasons. It was also evident from the site visit that the trunk is growing out from the ground at an angle and therefore some reduction in weight might be helpful.

The tree is sited within the front garden and is clearly visible from the road and therefore has a good degree of public visual amenity value. However, the proposed works are not considered to result in a significant impact to its amenity and are now in line with the advice of the Council's Tree Officer. It is therefore recommended to approve the application, subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby approved to the Silver Birch Tree shall involve a 2m reduction in the canopy of the upper boughs & branches and be in accordance with the following:

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.

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%.

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.

- 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.

- 3 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.

- 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.