

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

REF NO: **AW/21/15/TC**

LOCATION: 72 The Fairway
 Aldwick Bay Estate

PROPOSAL: Reduce 18 No. Lombardy Poplar trees back to previous pruning points (approximately 6m) & reduce crown of 1 No. Silver Birch tree by 1.5m within the Aldwick Bay Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this notification.
BOUNDARY TREATMENT	Front has hedging approximately 2m in height, side boundaries dwarf brick and established shrubs.
SITE CHARACTERISTICS	Detached two storey with glazed area to front with inset balcony at first floor level, detached pitched roof garage on side with gravel driveway. The property has brickwork with herringbone brickwork to front and tiled roof.
CHARACTER OF LOCALITY	Private residential estate within a designated Conservation Area. It comprises detached properties of various styles and designs.

RELEVANT SITE HISTORY

AW/71/94/T	Pollard 10 No. Poplars & 6 No. Silver Birch Trees	ApproveConditionally 11-08-1994
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REPRESENTATIONS

Representations received:

Aldwick Parish Council
Awaited

Comments on Representations received:

None

CONSULTATIONS

Arboriculturist

Conservation Officer

Consultations responses received:

Tree Officer

T1 - T18 Species: Lombardy poplar x 18 Height: 14 meters (average) Average Branch Spread: 2.5 meters Crown Condition: fair Form: fair Age Class: semi mature

T19 Species: Birch betula spp Height: 12 meters Average Branch Spread: 3 meters Crown Condition: fair Form: fair Age Class: early mature

The outlined trees lie within the Aldwick Bay estate, which is a high amenity landscape with young, semi mature, mature, and over mature trees specimens present.

The trees cited in this application are located in the rear garden of 72 the fairway. The majority of the Lombardy poplars are actually situated in a linear belt abutting the south western boundary, continuing around to the northern boundary. The silver birch is then located on the end of the belt of poplars, on the northern boundary.

The trees cited in this application have no active TPO order; however they are situated within the Aldwick bay conservation area.

Unfortunately I was unable to gain access to the back garden as the residents have been away on my visits to the site. I was able to view the highlighted trees from a neighbour's front garden.

The applicant has requested to reduce the poplar trees back to established pruning points. This would equate to the removal of 6 meters extensional growth. According to the BS 3998 section 7.7.3, 'follow-up work after crown reduction ...to maintain the reduced crown as a framework for cyclic management, whereby the new branches are periodically cut back close to their points of origin'. This does mean the recommended management for these trees would be to adhere to the regime of pruning that has already been initiated.

The birch tree (T19), did not appear to have had any reduction/s completed. The reduction requested by the applicant is unlikely to have a negative impact on the aesthetic value and/or the longevity offered by this individual.

As the proposed operations to T1 - T18 are likely to increase the relative retention span/s, I would therefore have no objection to the cited operations.

As the proposed operation to T19 is unlikely to have a negative impact on the aesthetic/longevity of this tree, I would therefore have no objection to the cited operation.

Comments on Consultation responses:

Tree Officer comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Conservation Area

Tree Preservation Order

No Public Sewer
Building of Special Character

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [AREA2](#)

Conservation Areas

Publication Version of the Local
Plan (October 2014):

HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The above policies are general and, other than online Planning Policy Guidance under References ID 36-090-20140306 and ID36-091-20140306, 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.

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 Poplar trees and Silver Birch tree are not covered by a Tree Preservation Order but are within the Aldwick Bay Conservation Area.

The Poplar trees are sited along the south western boundary continuing along the northern boundary with the Silver Birch tree being sited at the end of the belt of Poplars. The trees are not readily visible to the front but can be seen from neighbouring gardens.

The Tree Officer has raised no objection as the proposed works will not have a negative impact on the trees retention span and continued health.

It is therefore recommended that no objection be raised or Tree Preservation Order be made.

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.