

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

REF NO: **AW/220/15/T**

LOCATION: 1 Fishermans Walk
 Aldwick

PROPOSAL: Reduce 2 No. Sycamore trees by 2.5m and reduce upper crown of 1 No. Hornbeam tree by 2.5m & reduce.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As Above.
TOPOGRAPHY	Predominantly flat.
TREES	The trees the subject of this application. There are other trees in the vicinity, but these are not affected.
BOUNDARY TREATMENT	The trees are located on land where there3 is either 2m walling or 2m fencing.
SITE CHARACTERISTICS	The site is a dwelling house and its curtilage. The site is in a prominent corner location at the junction of Fishermans Walk/Barrack Lane/Coastguards Parade.
CHARACTER OF LOCALITY	The character of the area is predominantly residential, although Coastguards Parade is nearby to the north. The area has a mature and established landscape which includes many trees which contribute significantly to visual amenity.

RELEVANT SITE HISTORY

AW/127/94/T	Fell 1 Holm Oak tree and 1 Sycamore tree. Reduce the height of 1 Birch tree by approximately 6ft, shaping the remaining crown as necessary. Remove dead top from 1 Sycamore tree and shorten lateral limbs overhanging the highway.	ApproveConditionally 18-11-1994
AW/101/97/T	Reduce height of 1 Sycamore tree.	ApproveConditionally 15-08-1997
BR/409/78/T	Felling of 4 macracarpa 2 sycamore 3 birch 2 bay trees & 2 evergreen oak trees	ApproveConditionally 04-10-1978

AW/241/86/T	Lopping of one evergreen oak and felling of two sycamores	ApproveConditionally 17-11-1986
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None.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council raises no objection and comments that Members agreed that the Arun Arboriculturist should be consulted regarding the application and that his recommendations/decision be applied.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Arboriculturist

Consultations responses received:

The Councils Tree Officer raises no objection and comments:

T1 Species: Sycamore *Acer pseudoplatanus* Height: 12 meters Average Branch Spread: 5 meters

Crown Condition: good Form: fair Age Class: mature

T2 Species: Sycamore *Acer pseudoplatanus* Height: 12 meters Average Branch Spread: 6 meters Crown Condition: good Form: fair Age Class: mature

T3 Species: Hornbeam *Carpinus betulus* Height: 10 meters Average Branch Spread: 4.5 meters Crown Condition: good Form: good Age Class: mature

T4 Species: Silver Birch *Betula pendula* Height: 9 meters Average Branch Spread: 4.5 meters Crown Condition: good Form: good Age Class: mature

Comments:

- The trees cited in this application are located in the grounds of 1 fisherman's walk.
- For T1 and T2, the applicant has applied to reduce the crowns by 2.5 meters. From the site inspection T1 and T2 are both exhibiting evidence to suggest it has had previous reduction/s. These previous reductions emulate the applied for reductions.
- For T3, the applicant has applied to reduce the crown by 2.5 meters. From the site inspection T3 does have evidence to suggest it has had
- For T4, the applicant has applied to reduce by 2 meters. From the site inspection it is apparent that T4 has received previous reductions. T4 is not subject to a TPO order.

RECOMMENDATION

- I would have no objection to the proposed reduction to T4 of a reduction of no more than 2 meters. As T4 is not subject to a TPO order, no conditions will be required.

- I would have no objection to the proposed reduction to T1 - T3, of a crown reduction of no more than 2.5 meters. As T1 - T3 are covered by active TPO orders, the following conditions must be adhered to:

Conditions:

Crown Reduction

All side branches to be retained should be at least 1/3rd in diameter of there moved 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.

Comments on Consultation responses:

Noted and conditions and an informative(s) will address these issues satisfactorily. The description on the consent has been revised regarding the trees the decision relates to and the Silver Birch has been deleted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Tree Preservation Order

Class C Road

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
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 trees are located within the garden of the property, they are of a size such that they are visible from the street and surrounding area and being mature have amenity value.

The trees contribute to the general character of the area and amenity in general, in addition they contribute to the amenity of surrounding occupiers. Any works carried out to the tree should be done so for the purpose of good husbandry and this is the case in this instance.

The Tree Officer has been consulted and has agreed the works, subject to conditions.

It is therefore recommended that the application be approved, subject to the following conditions and informatives.

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.

- 2 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 must 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.

- 3 The Crown Clean must consist of deadwood and stub removal where all cuts must be made to the branch collar. Where crossing branches are encountered the weaker branch/branches must be reduced or removed to avoid contact between them. The remaining branch/branches must 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.

- 4 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.

- 5 INFORMATIVE: The description of the works applied for and permitted has been revised in order to take into account that T4 Silver Birch, *Betula pendula* is not protected by a Tree Preservation Order and therefore consent is not required.

- 6 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.

- 7 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.