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

REF NO: **AW/223/16/T**

LOCATION: Flat 1
Strange Garden House
Strange Garden Aldwick

PROPOSAL: Reduce 1No. Holm Oak tree by 1m all over & shape.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
TOPOGRAPHY	Predominantly flat
TREES	Various mature trees.
SITE CHARACTERISTICS	Residential flat.
CHARACTER OF LOCALITY	Seaside, suburban residential.

RELEVANT SITE HISTORY

AW/113/92/T	Fell 2 limes and one sycamore. Top 3 limes and deadwood 2 turkey oaks	ApproveConditionally 06-08-1992
AW/58/12/T	Various surgery to 1 no Holm Oak	ApproveConditionally 20-04-2012

Various tree works approved previously.

REPRESENTATIONS

Representations received:
No response.
Comments on Representations received:
N/A.

CONSULTATIONS

Arboriculturist
Consultations responses received:
ARBORIST

Comments:
· The tree outlined in this application is located outside the northern area of Strange Garden House, Aldwick.

· For T1, the applicant has applied to reduce this specimen by 1 metre. From the site inspection it is evident that T1 has received previous reductions. The applicants proposed reduction of 1 metre does emulate the previous reductions.

Recommendation:
· I would have no objection to the proposed 1 meter reduction that has been outlined in this application.
· The following condition must be adhered to when completing the proposed reduction:

Condition:

Reduction - LAW15

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 to accord with current industry guidelines and sound arboricultural practice.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

TPO

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

CONCLUSIONS

The Council's Arborist has been consulted on the application and has no objection subject to a reduction condition being followed when the work is carried out. Should the condition be complied with, it is not considered that the works will result in damage to the long term health of the tree. It is also considered that they would preserve the visual amenity of the area.

Approval with conditions is recommended.

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 to accord with current industry guidelines and sound arboricultural practice.

2 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.

3 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.