

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

REF NO: **AW/234/14/T**

LOCATION: Minton
 3 The Ridings
 Aldwick Bay

PROPOSAL: Re-shape and reduce by up to 1 metre to 1No. Arbutus Unedo (Strawberry Tree)
 and 1No. Eucalyptus tree.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	Trees the subject of this application.
BOUNDARY TREATMENT	1.5 metre high hedge to front boundary. 1.8 metre high fencing to side (no. 2) and mature vegetation to side (no.4).
SITE CHARACTERISTICS	Detached two storey dwelling with gardens to front and rear.
CHARACTER OF LOCALITY	Conservation Area. Private residential estate comprising large detached dwellings of various character and design in tree lined avenues.

RELEVANT SITE HISTORY

No comments.

REPRESENTATIONS

Representations received:

Aldwick Parish Council
Aldwick Parish Council:-

Members agreed that the Arun Arboriculturist is consulted regarding the application and that his recommendations/decisions is applied.

Conservation Area Advisory Committee:-

No objection

Comments on Representations received:

Comments noted.

CONSULTATIONS

Arboriculturist
Conservation Officer

Consultations responses received:

Council's Arboriculturalist:-

Comments:

- These trees are set within the high amenity landscape of Aldwick Bay. The surrounding landscape has a varied mix of tree species and age classes.
- It is clear from the site visit these trees have had historic reductions. The application is requesting a reduction that would see these established pruning points utilised.
- As the reductions that have been requested are so small relative to the size of the outlined trees, the action is highly unlikely to have any effect on the individuals health and/or longevity.

Recommendation:

- I therefore have no objection to this application of pruning works, as it unlikely to have any effect on the given trees health and/or longevity.
- As the sycamore has an active TPO, I would like to place the following planning condition:

Planning Conditions:

Crown Reduction

The Crown Reduction should not exceed the removal of single branch lengths which are greater than 1m from the periphery of the original crown diameter. The branch removals should leave healthy substantial leaf bearing side branches. 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 order to ensure a satisfactory standard of tree surgery in the interests of retaining good health and amenity in accordance with policy GEN7 of the Arun District Local Plan'.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation Applicable to Site:-

Adopted Local Plan
Tree Preservation Order
Conservation Area
Spec Cont Advts

No Public Sewer

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 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 a prominent feature within the street scene and clearly visible, as such they make a considerable contribution to the amenity of the landscape.

However, it is stated by the Council's Tree Officer that these trees show signs of historic pruning and the application seeks to utilise these existing pruning points. Similarly, it is stated that "As the reductions that have been requested are so small relative to the size of the outlined trees, the action is highly unlikely to have any effect on the individuals health and/or longevity".

Therefore, it is recommended that the proposed works should be approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The Crown Reduction should not exceed the removal of single branch lengths which are greater than 1m from the periphery of the original crown diameter. The branch removals should leave healthy substantial leaf bearing side branches. 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 order to ensure a satisfactory standard of tree surgery in the interests of retaining good health and amenity.

- 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.