## TREE WORKS CONSENT REPORT

**REF NO:** **AW/245/11/T**

**LOCATION:** Craiglands
72 Barrack Lane
Aldwick

**PROPOSAL:** Fell 3 No Leylandii trees, reduce 1 No Leylandii tree by 50%, reduce crown of 1 No Ash tree by 30%, Top 1 No Leylandii tree by 25%, top 1 No Beech tree by 10-20% and shorten one roadside limb to 1 No Ash tree

### SITE AND SURROUNDINGS

| | |
|---|---|
| DESCRIPTION OF APPLICATION | Fell 3 no. Leylandii. Surgery to 2 no. Leylandii, 2 no. Ash and 1 no. Beech tree. |
| SITE AREA | N/A |
| RESIDENTIAL DEVELOPMENT DEN | N/A |
| TOPOGRAPHY | Predominantly flat |
| TREES | The trees the subject of this application. |
| BOUNDARY TREATMENT | Front has tree screening over 3m in height, side boundaries close boarded fencing approximately 1.5m-1.8m in height. |
| SITE CHARACTERISTICS | Two storey detached property with single storey on rear, detached garage on side. The property has brown brickwork on lower level and smooth render painted yellow on upper level, white window frames with a red tiled roof. |
| CHARACTER OF LOCALITY | Residential road with predominantly detached properties of various styles and designs. |

### RELEVANT SITE HISTORY

None

### REPRESENTATIONS

**Representations received:**

Aldwick Parish Council

No objection
Members agreed that the Arun Arboriculturist is consulted regarding this application and that his professional recommendations/decision is applied.

**Comments on Representations received:**

Noted
See Arboriculturist's comments.

### CONSULTATIONS

Council's Arboriculturalist

**Consultations responses received:**

Council's Arboriculturist
The tree surgery within the front garden of the property is acceptable as there are no trees of particular importance which would be affected by the proposal.

**Comments on Consultation responses:**

Noted

## POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Area of Special Character
Tree Preservation Order 2/58
Class C Road
No Public Sewer

### DEVELOPMENT PLAN POLICIES

| | | |
|---|---|---|
| Arun District Local Plan: | AREA1 | Areas of Special Character |

### PLANNING POLICY GUIDANCE

### SUPPLEMENTARY POLICY GUIDANCE

| | |
|---|---|
| XXX1 | Circular 36/78 |
| XXX2 | DETR TPO's A guide to Law and Good Practice |

## POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPOs, 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 Beech, two Ash and five Leylandii trees are sited in the front garden of the property and the surgery proposed is to thin out and reduce the trees as surgery to the trees has not been carried out on a regular basis.

The trees although numerous in numbers can be readily seen from the front of the site but they

are not considered to be of any significant public visual amenity. The three Leylandii trees to be felled are adjacent to an Ash and Beech tree and their removal will allow for the Ash and Beech tree to grow in a less confined position. The large Leylandii on the western side is to be reduced by 50% and the one on the eastern side which is damaged is to be topped by 25% to match the Leylandii on the western side. The Ash tree which is on the eastern side boundary is to have a crown reduction of 25%-30%. The Ash and Beech tree are sited to the front adjacent to boundary hedging and the Ash tree has a limb overhanging the highway and this is to be shortened with the Beech tree being topped by 10%-20%.

The Council's Arboriculturist has inspected the trees and has raised no objection to the proposed felling and surgery.

It is therefore recommended to approve the application, subject to the following conditions.

**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 in accordance with policy GEN7 of the Arun District Local Plan.

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 in accordance with policy GEN7 of the Arun District Local Plan.

3 The works hereby approved shall involve:

Felling of 3 no. Leylandii trees (T5,T6,T7).
Reduce 1 no. Leylandii tree by 50% (T8).
Top 1 no. Leylandii tree by 25% (T4).
Reduce Crown of 1 no. Ash tree by 30% (T1).
Top 1 no. Beech tree by 10%-20% (T2).
Shorten limb over roadside to 1 no. Ash tree (T3).

All works shall be carried out in accordance with BS3998:2010 Recommendations for Tree Work.

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 amendd) 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.