

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

REF NO: **AW/24/15/TC**

LOCATION: Rear of 216, 217, 218 Manor Way
Aldwick

PROPOSAL: Prune back to previous pruning points 5 No Oak trees & 1 No Beech tree within the Aldwick Bay Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The 5 Oak trees and 1 Beech tree affected by this application.
BOUNDARY TREATMENT	Boundaries are a mixture of fencing and planting.
SITE CHARACTERISTICS	These trees are located on the rear boundaries of properties backing on to dwellings in Langley Grove. They are part screened a lower level by those dwellings, although visible at higher level.
CHARACTER OF LOCALITY	These trees are located on the northern boundary of Aldwick Bay Conservation Area. This is a private residential estate comprising detached properties on large plots of various styles and designs. To the rear is a more recent and higher density residential development, Langley Grove.

RELEVANT SITE HISTORY

There have been a considerable number of previous applications over time to carry out works on trees within the curtilage of the 3 subject dwellings. These have, for the most part, related to management of the trees within the curtilage of those dwellings.

REPRESENTATIONS

Representations received:

No representations received.

Comments on Representations received:

N/A

CONSULTATIONS

Arboriculturist

Conservation Officer

Consultations responses received:

No comments have been received from the Conservation Officer or Conservation Area Committee.

The Council's Tree Officer has commented that:

T1 Species: Beech *Fagus* spp Height: 13 meters Average Branch Spread: 4 meters Crown Condition: good to fair Form: good to fair Age Class: semi mature

T2 Species: Oak *Quercus* spp Height: 12 meters Average Branch Spread: 4.5 meters Crown Condition: fair Form: good to fair Age Class: semi mature

T3 Species: Oak *Quercus* spp Height: 12 meters Average Branch Spread: 4.5 meters Crown Condition: fair Form: good to fair Age Class: semi mature

T5 Species: Oak *Quercus* spp Height: 12 meters Average Branch Spread: 4.5 meters Crown Condition: fair Form: good to fair Age Class: semi mature

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T6 Species: Oak *Quercus* spp Height: 12 meters Average Branch Spread: 4.5 meters Crown Condition: fair Form: good to fair Age Class: semi mature

- Trees are situated in a landscape of many mature tree specimens. There is a wide range of species, of varying age in the surrounding landscape.
- The trees highlighted in this application are not covered by a TPO order/s, so this application is to determine the suitability of T1, T2, T3, T4, T5, and T6 for a TPO order/s.
- The applicant has applied the repeat a pruning activity that has evidently already taken place historically. This has been completed to a reasonable standard.
- According to section 7.10 of the British Standards 3998:2005 'Once initiated, a pollard should be maintained by cutting new branches on a cyclical basis'.

Recommendation:

- I would therefore like to recommend that this operation of a crown reduction of no more than 2.5 meters only should be allowed to take place, as it recognised as the best industry practise for this particular scenario of established pruning. Also these actions are unlikely to have a negative impact on the longevity of said trees.

Comments on Consultation responses:

Consultee comments noted.

POLICY CONTEXT

Designations applicable to site:-

Conservation Area

Adopted Local Plan

Tree Preservation Order (Subject trees not covered by this Area TPO)

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

Development Plan policies are not specific to trees. National Planning Policy Guidance under references ID 36-090-20140306 and ID 36-091-20140306 is relevant.

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

These trees are located to the rear of dwellings and of considerable amenity value to the occupiers of dwellings in Manor Way and Langley Grove. They also contribute to the overall appearance of these areas and of the Conservation Area as the upper parts of the trees are visible from the wider area.

The works proposed are a part of a maintenance regimen and are considered to be reasonable and acceptable.

The trees have not been judged to not be suitable for a Tree Preservation Order and as such there can be no objection to the works specified on these grounds.

Therefore, it is recommended that no objection is raised in relation to the proposed works.

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:** The Council's Tree Officer recommends a crown reduction of no more than 2.5m.