

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

REF NO: **AW/251/15/TC**

LOCATION: 19 The Fairway
 Aldwick

PROPOSAL: Fell 3No. Golden Macroparpa trees within the Adwick Bay Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	1350m2
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat
TREES	Various trees including that forming part of the application.
BOUNDARY TREATMENT	2m boundary wall to rear and sides.
SITE CHARACTERISTICS	Two storey detached dwelling on large plot with gardens to front and rear.
CHARACTER OF LOCALITY	Detached two storey dwellings set back from road with large rear gardens, seaside suburban residential location.

RELEVANT SITE HISTORY

AW/49/97/T	Various works to prune, thin and lop trees	ApproveConditionally 02-05-1997
AW/79/03/T	Lopping of Poplar Tree.	ApproveConditionally 02-05-2003
AW/156/06/T	Pollard of 1 No. flowering Cherry tree (Prunus Pissardii Nigra) to reduce height	ApproveConditionally 18-08-2006

Various tree works approved in the past.

REPRESENTATIONS

Representations received:

No comments received.

Comments on Representations received:

N/A

CONSULTATIONS

Arboriculturist

Consultations responses received:

Conservation Area Advisory Committee- No objection

Arborist

Comments:

- The trees cited in this application are located near to the southern boundary of 19 the fairway, Aldwick.
- The applicant has applied to fell T1 - T3. From the site inspection it is apparent that all three specimens have been planted too close to the boundary wall, which does mean the specimens are likely to cause heave as the three specimens develop. Given the poor retention span (due to the planted positions) T1 - T3 would not be suitable for TPO order/s.
- For T4, the applicant has request to reduce to the established pruning points. This would equate to a reduction of no more than 4.5 meters of regrowth to the previous points. According to the BS 3998 section 7.7.3, 'follow-up work after crown reduction.... to maintain the reduced crown as a framework for cyclic management, whereby the new branches are periodically cut back close to their points of origin'. This does mean adhering to the instigated cycle of pruning is likely to increase the retention span of T4.

Recommendation:

- For T1 - T3, I would have no objection to the proposed felling of these specimens, as they do not have the attributes to warrant TPO orders.
- For T4, I would have no objection to the proposed reduction operation of no more than 4.5 meters.

Suggested Conditions:

Crown Reduction

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 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:

Comments noted. Note that this application is not for the works to the poplar there is a separate application for this AW/244/15/T as it is covered by a TPO so conditions recommended are not for this application.

POLICY CONTEXT

Classifications:-

Adopted Local Plan
Tree Preservation Order
No Public Sewer
Building of Special Character
Conservation Area

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 ID 36-091-20140306, are not specific to trees.

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

The Council's Arborist has been consulted and has no objections to the felling of the trees as they are not worthy of TPOs as they do not have the required attributes for a TPO. Also they are not considered to add significantly to the visual amenity of the conservation area.

As such no objection is raised to the felling of these trees.

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: 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.