

TREE WORKS CONSENT REPORT**REF NO:** AW/263/11/T**LOCATION:** The Water Tower
16 Craigweil Manor
Aldwick**PROPOSAL:** Crown reduction by 25% and gentle crown thinning by 10% of 1 no sycamore tree.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	There are numerous trees located within and around the application site.
BOUNDARY TREATMENT	Rear and side garden boundaries enclosed by 1.8-2 metre high close boarded timber fencing.
SITE CHARACTERISTICS	Two storey detached dwelling with hipped roof and three storey tower constructed from yellow/brown brick with red brick detailing. Former water tower.
CHARACTER OF LOCALITY	Predominantly residential comprising a private estate of detached two storey dwellings and bungalows of different designs and styles.

RELEVANT SITE HISTORY

AW/60/99/T	1) Lightly reduce and thin one mature oak tree 2) reduce and reshape by approximately one third one sycamore tree.	Approve Cond 02-06-1999
AW/268/05/T	Surgery to various trees	Approve Cond 21-12-2005
AW/18/10/T	Approx 25% crown reduction & re-shaping and 10% crown thinning to previous pruning points of 1 no. twin stemmed Sycamore tree	Approve Cond 08-03-2010
BR/70/57	Outline application 1 pair semi-detached houses & garages	Refused 12-06-1957

BR/70/57/A	Outline 2 bungalows	Refused 10-07-1957
BR/70/57/B	Ext to premises	Approve Cond 14-07-1959
BR/70/57/C	5 garages	Approve 08-02-1960
BR/678/81	Proposed development of 3 bedroom bungalows & double garages with new re-sited access drive	Approve Cond 09-09-1981
BR/26/82	Conversion of old water tower & apple store to 3 bedroom house	Refused 10-03-1982
BR/219/82	Proposed re-siting of plot 5 prev approved BR/678/81 & erection of one additional 3 bedroom bungalow & double garage	Refused 09-06-1982
BR/254/82	Proposed conversion of water tower and apple store to 3 bedroom house	Refused 09-06-1982
BR/621/82	C.O.U of exist water tower and store from bld ancillary to use of Manor to separate unit of accommo within curtilage	Refused 05-01-1983
BR/256/83	Proposed resiting & re design of bungalow & garage previously approved under BR/678/81 & proposed conversion of water	Approve Cond 08-07-1983
BR/1011/83	Conversion to unit of accommodation	Approve Cond 04-01-1984

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.

1 Letter of Support:-

CHECAA would prefer a copy of a professional arboricultural report to accompany the application, rather than simply the applicant's assurances. Where this work, following on from previous, similar applications for good husbandry is concerned, we would support it but would request that the District's Arboriculturist inspects the site and supervises the work.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Arboriculturist: I accept the re-cutting of growths from the previously lopped Sycamore. There are other, larger Sycamore trees which have been similarly treated and may require similar treatment due to weaker attachment points caused by their crown lopping. However, the English Oak is a good tree and there is no discernible lopping points where a crown reduction of 25% could be cut back to without spoiling its overall natural aesthetic appearance. I feel that this tree is an important feature within the landscape and no arboricultural justification exists for allowing the crown reduction to proceed.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Permitted Development Restriction
Tree Preservation Order
Building of Structural Character

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

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

This is a repeat application for works to 1No. Sycamore and 1No. Oak Tree located in the rear/side garden of the application property. Both trees are covered by TPO AW/2/58 and are deemed to have public amenity value, being visible from the road frontage along Craigweil Manor.

The works are requested on the basis of routine maintenance and to reduce excessive shading of

the applicant's garden.

The Council's Arboriculturist accepts the re-cutting of growths to the Sycamore Tree and raises no objection to the proposed crown reduction of 25% and gentle crown thinning by 10% to the twin stemmed Sycamore Tree. However, the Arborist comments that the Oak Tree is an important amenity feature within the landscape and there are no discernible lopping points for a crown reduction of 25%, without spoiling the overall aesthetic value of the tree. There is no arboricultural justification for the works to the Oak Tree to proceed. The applicant has therefore withdrawn this element of the application.

It is therefore recommended that consent is granted for the works to the Sycamore Tree, 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 a crown reduction of 25% and crown thinning of 10% to 1 No. Sycamore Tree. All works shall be carried out in accordance with BS3998: 1989 Recommendations for Tree Work.

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.

- 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

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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.