

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

REF NO: AW/27/15/TC

LOCATION: Craig Rock
21 Craigweil Manor
Aldwick

PROPOSAL: Reduce crown by up to 3m to 1 No Cupressus Macrocarpa tree & reduce crown by up to 2.5m & remove deadwood to 1 No Cupressus Macrocarpa tree within the Craigweil House Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The trees the subject of this application.
BOUNDARY TREATMENT	Various mature planting.
SITE CHARACTERISTICS	Single storey detached dwelling.
CHARACTER OF LOCALITY	Within the Craigweil House Conservation Area. Private residential estate comprising detached properties of various styles and designs.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

None received.

Comments on Representations received:

N/A

CONSULTATIONS

Arboriculturist
Conservation Officer

Consultations responses received:

Council's Tree Officer:-

Comments:

·This outlined trees is located in font garden of 21 Craigweil manor,. This private estate with a comprehensive planting regime, with individuals from a wide range of species and age classes.

·The trees highlighted in this application are not covered by an active TPO/s, they are however situated in a conservation area.

·The applicant has expressed the desire to reduce T1 by 3 meters, to reduce T2's height by 2.5 meters and remove the dead wood.

· The applicants requested reductions are unlikely to have a lasting negative impact on the outlined trees longevity.

Recommendation:

·The trees outlined in this application do not have the merits to warrant a TPO order. For this reason I would have no objection to the proposed reduction operations.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designations applicable to site:

Adopted Local Plan

Tree Preservation Order

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 Tree Officer has inspected the trees the subject of this application and determined that they do not merit a tree preservation order. Therefore, no objection is raised in relation to these 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:** 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.