

AW/304/05/T

TREE WORKS TO TPO TREES REPORT

DESCRIPTION/ ADDRESS	- Surgery to one Pine Tree – take out lower branch overhanging the road, lop other branches in line with the pavement, reshape rest of tree to bring tree into balance. 31 Willowhale Avenue, Aldwick.
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The tree is located northwest of the above dwelling, overhanging the pavement and road.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	One Pine Tree approximately 7m high which forms the subject of this application and one other close tree approximately 7m high.
BOUNDARY TREATMENT	The front of the property is bounded by 1.8m close-boarded fencing to the northeast and southwest sides, and a 0.5m brick wall to the northwest with shrubs up to approximately 2m.
SITE CHARACTERISTICS	A 1½ storey detached property formed of red brick with a brown plain tiled pitched roof with front dormers.
CHARACTER OF LOCALITY	Residential road comprising individually designed 1½ and 2 storey detached dwellings.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Aldwick Parish Council	Awaited <i>No objection</i>
Local Groups	None
Others	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council Arboricultural Officer	A large lower branch is continually in contact with high sided lorries and other smaller branches are causing problems over the pavement (dead and dying). Should then balance the tree to compensate for loss by removing other low limbs on the eastern side.

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POLICY CONTEXT**DESIGNATION APPLICABLE TO SITE**

Within Built-up Area Boundary
Tree Preservation Order AW/2/58 (A7)

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1
Arun District Local Plan : GEN7

PLANNING POLICY GUIDANCE

PPS1 – Sustainable Development
Circular 36/78 DETR TPOs : A Guide to the Law & Good Practise

POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPOs, are not specific to trees.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

~~None~~ Noted.

ASSESSMENT OF PROPOSAL**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 tree is important on the street scene and makes a positive contribution to the visual amenity and character of the area, hence being covered by a TPO. However, it does considerably overhang the road and pavement, and as indicated by the Council's Arboricultural Officer, its lower limbs are being damaged by high sided vehicles. It is

AW/304/05/T**CONCLUSIONS**

therefore considered that the proposed tree work is necessary and acceptable for good husbandry purposes, and is not considered to cause any detrimental impact upon the visual amenity value of the street scene.

It is therefore recommended that the application be approved, subject to the conditions set out overleaf.

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Surgery to one Pine Tree - take out lower branch overhanging the road, lop other branches in line with the pavement, reshape rest of tree to bring tree into balance

31 Willowhale Avenue
Aldwick

RECOMMENDATION

Approve Conditions

- 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 policies DEV1 of the West Sussex Structure Plan and 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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 3 The works hereby approved shall involve only the removal of the lower limb overhanging the road and other smaller branches over the pavement of 1 no. Pine Tree. The tree should then be balanced by the removal of low limbs on the eastern side.

All works shall be carried out in accordance with BS 3998: 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 DEV1 of the West Sussex Structure Plan and policy GEN7 of the Arun District Local Plan.

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- 4 **INFORMATIVE:** The applicant should note that under part 1 of the Wildlife & 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 etc. during this period could lead to an offence under the Act.