Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (

REF NO: **AW/310/13/T**

LOCATION: 45 Chawkmare Coppice and
The Ship Inn, Aldwick Street
Aldwick

PROPOSAL: 1No. Lime Tree: Remove and reshape three branches overhanging garden.
2No. English Oak: Crown reduction to a height of 20 metres, in line with previous reduction in 2003.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Lime and Oak trees the subject of this application.
BOUNDARY TREATMENT	Close boarded fencing to side boundaries approximately 1.8m in height, rear has close boarded fencing + trellis approximately 2m in height.
SITE CHARACTERISTICS	No 45 is a detached bungalow with attached garage. It has red brickwork, tiled roof with white window frames. Rear seating area of the Ship Inn which is a two storey building with rendered walls and a red tiled roof.
CHARACTER OF LOCALITY	The Ship Inn is located on a main road comprising commercial and residential properties. Parade of shops and flats opposite side. Chawkmare Coppice has detached bungalows of similar style and design.

RELEVANT SITE HISTORY

AW/32/94/T	Top two oak trees	ApproveConditionally 13-06-1994
AW/87/03/T	Shape and reduce 2 Oak trees to the previous line of reduction. Removal of 1 large limb of Sycamore tree that overhangs neighbouring property (No 43).	ApproveConditionally 15-07-2003
AW/231/11/T	Cut back branches of 1 no. Sycamore tree on south east boundary overhanging property of No 2 Hurst Cottages to provide a gap of 2m.	ApproveConditionally 15-11-2011

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Members agreed that the Arun Arboriculturist is consulted regarding this application and that his professional recommendation is applied.

Comments on Representations received:

Noted

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's Arboriculturist
Awaited

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Tree Preservation Order
PDR Open Plan Condition on Chawkmare Coppice
The Ship Building is a Building of Special Character
Aldwick Road Class C
Tree Preservation Order
No Public Sewer

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

The Oak trees are sited on the rear boundary of No 45 Chawkmare Coppice and the Lime tree is sited on the rear boundary of the Ship Inn adjacent to a decking area. All three trees are not readily visible within the street scene but are visible to neighbouring gardens and of visual amenity value.

The English Oak trees are sited in close proximity to each other and the application seeks for a crown reduction to both the Oak trees to a height of 20 metres which is similar to surgery carried out in 2003 under application AW/87/03/T. The Lime tree which is sited on the rear boundary of The Ship Inn is overhanging the rear boundary of 45 Chawkmare Coppice and the application seeks to remove and reshape three branches.

In the absence of any objection from the Council's Arboriculturist it is recommended that the application be approved, subject to 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.

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.

3 The works hereby approved shall involve:

1 no. Lime - Remove and reshape 3 branches overhanging garden.
2 no. English Oak - Crown reduction to a height of 20m, in line with previoud reduction in 2003.
All works shall be carried out in accordance with BS3998:2010 Recommendations for Tree Work.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity.

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 amendd) 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.