

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

REF NO: **AW/320/14/T**

LOCATION: North East Craigweil Beds
 Opposite 61 Craigweil Lane
 Aldwick

PROPOSAL: Reduce canopy by 2-2.5m and reduce branches over hanging road by .5-2.5m
 to 1 No Great Oak Tree (resubmission following AW/200/14/T)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The tree the subject of this application.
BOUNDARY TREATMENT	Open in character and appearance.
SITE CHARACTERISTICS	A planted area with pedestrian walkway adjacent to No 10 Garden Court which is a two storey detached property with open frontage.
CHARACTER OF LOCALITY	Residential comprising detached two storey properties of similar appearance in Lodge Court and Garden Court.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council:-

Decision: No Objection

Members agreed that the Arun Arboriculturist is consulted regarding the application and that his recommendations/decision is applied.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's Tree Officer:-

Comments:

- Trees are situated within the area of Aldwick. The surrounding landscape has a rich diversity of varying species and age classes.
- The outlined tree in this application is an over mature tree that is clearly heading into the retrenchment part of the trees lifecycle. This does mean the crown of said tree is starting the 'die-back' at the extremities of the crown. This is a natural process of the lifecycle of an over mature tree of this stature.
- The applicant has reapplied to reduce the canopy 2.5 meters. This act would mainly see the removal of the extremities of the crown of this outlined tree. As these areas are dying off, the removal is likely to reduce the risk of failures occurring in these areas of 'die-back'.

Recommendation:

- It would be my recommendation that a reduction of no more than 2.5 meters of the whole canopy, and no more than 2.5 meters over the highway (to the north).
- Also the following conditions should be followed;

Conditions:

Condition 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.

Condition

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.

POLICY CONTEXT

Designations Applicable to Site:-
Tree Preservation Order
PD Restriction

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 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 tree is sited adjacent to a pedestrian walkway in a landscaped area and is clearly visible within the street scene and is of considerable visual amenity value.

The application seeks consent for the reduction of the canopy by 2-2.5 metres and reduction in the branches over hanging the road by 0.5-2.5 metres of 1 No Great Oak.

The Council's Tree Officer has inspected the tree and found that it is over mature and as such is starting to 'die-back' at the extremities of the crown. The proposed 2-2.5 metre crown reduction would see the removal of the extremities and as such would reduce the risk of failures occurring in these areas of 'die-back'.

The reduction to the branches overhanging the highway has been previously approved under reference AW/200/14/T and AW/252/14/T and no objection has been raised in relation to these works by the Council's Tree Officer.

Therefore, subject to the following conditions it is recommended that this application is approved.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 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.

- 2 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.

- 3 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.

- 4 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.

- 5 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.

- 6 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.