

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (**REF NO:** AW/36/14/T**LOCATION:** Liberty House
19 The Drive
Aldwick**PROPOSAL:** Reduce & reshape 1No. Acer by 1.5m, reduce height of 1No. Ilex by 1m & lateral growth by 0.5m**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Front boundary has close boarded fencing + hedging approximately 3m in height with white wooden entrance gates. Side boundary with No 17 has brick wall approximately 1.5m in height + shrubs/tree screening, side boundary with No 21 and adjacent footpath close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached two storey property with detached single storey garage and driveway. The property has white painted brickwork, white window frames with a brown tiled roof.
CHARACTER OF LOCALITY	Private residential estate within the Craigweil House Conservation Area. Detached properties on large plots of various styles and designs.

RELEVANT SITE HISTORY

AW/166/94/T	Removal of rot damaged south-west limb & shortening of crown & side growth of 1 Ilex Oak tree. Shortening of crown & side growth of 1 London Plane tree.	ApproveConditionally 17-01-1995
AW/56/97/T	Reduce top spindly growth by approx 3m 1 Deciduous Oak and 2 Poplar trees	ApproveConditionally 16-05-1997
AW/186/99/T	Top and thin 1 Acer Platanoides and top 1 Quercus Ilex to reduce height by approx 2-3 metres.	ApproveConditionally 10-01-2000

AW/272/07/T	Reduction and re-shaping of 1 Acer Platanoides by 25%, 1 Ilex Oak by 25-30% and 1 English Oak by 30%.	ApproveConditionally 30-11-2007
AW/38/14/T	Reduce 1 No. Oak by 0.5m & reduce height of 1 No Poplar by 3m	ApproveConditionally 31-03-2014
BR/309/74/T	Lopping of 4 Macarocarpa and pruning of 1 evergreen Oak	Approve 26-06-1974

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.

Comments on Representations received:

CONSULTATIONS

Council's Arboriculturist

Conservation Officer

Consultations responses received:

Consultant Arboriculturist

I raise no objection to the pruning of these trees as described in the application and agreed with the principle of pruning for the reasons stated in the application and recommend that it is Approved as follows:-

London Plane (*Platanus acerifolia*)

Reduce and reshape the crown by between 1.5 to 2m overall back to old pruning knuckles [BUT no further].

Holm Oak (*Quercus ilex*)

Reduce in height by a maximum of 1m

Reshape and shorten lateral spread by a maximum of 0.5m

Advisory Note : Where whole branches are to be removed final cuts close to the trunk or branch union are to be made as shown in Figure 2 of BS3998:2010 and all shortened branches are to be cut at the correct angle (see also BS3998:2010) and adjacent to a live bud or lateral.

Reasons : In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

Conservation Officer

Awaited.

Conservation Area Advisory Committee

No comment.

Comments on Consultation responses:

Arborist comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Within Conservation Area
Tree Preservation Order 2/58
Private Street
No Public Sewer
Art 4 Direction

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [AREA2](#) Conservation Areas

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 London Plane and Holm Oak are sited in the front garden adjacent to the front boundary and access drive and are of public visual amenity value.

The trees have been lopped and topped on a regular basis and the proposed reduction and reshape is merely a repeat pruning operation. The Arboriculturist has inspected the trees and has raised no objection to the pruning for the continued health and vitality of the trees.

The application is therefore recommended for approval, 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 applicant shall during the next planting season following the felling of the trees, the subject of this application, plant replacement trees of a species and maturity and in positions approved by the Local Planning Authority and under its supervision and in the event that any such trees die within five years following such planting shall replace them by similar trees in similar positions during the next planting season.

Reason: To retain trees in the interests of the environment of the locality in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The works hereby approved shall involve:

London Plane/*Platanus acerifolia*

Reduce and reshape the crown by between 1.5m to 2m overall back to old pruning knuckles but no further,

Hom Oak/*Quercus ilex*

Reduce in height by a maximum of 1m.

Reshape and shorten lateral spread by a maximum of 0.5m.

Where whole branches are to be removed final cuts close to the trunk or branch union are to be made in accordance with Figure 2 Positions of final cuts of BS3998:2010 and adjacent to a live bud or lateral.

Reason: In the interests of the trees continued health and vitality and 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 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.