

TREE WORKS CONSENT REPORT**REF NO:** **AW/55/10/T****LOCATION:** Craigweil Manor Flats
 The Drive
 Aldwick**PROPOSAL:** Lightly crown lift 2 No Evergreen Oak Trees and prune back Easterly growth; fell
 1 No Evergreen Oak**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this application but various trees within and around the site.
BOUNDARY TREATMENT	Site is surrounded by close boarded fencing and walls approximately 1.8m in height.
SITE CHARACTERISTICS	Three storey block of apartments, grassed area in front of flats with gravel driveway, block of garages to west of site. The flats have juliette balconies on the front elevation, yellow painted brickwork, brown window frames with a brown tiled roof.
CHARACTER OF LOCALITY	Within the Craigweil House Conservation Area. Private residential estate comprising detached properties of various styles and designs.

RELEVANT SITE HISTORY

AW/63/93/T	Deadwood 5 sycamores and 2 evergreen oaks. Fell 2 white poplars	Approve Cond 22-06-1993
AW/3/96/T	Prune back one lower branch of 1 Evergreen Oak Tree. Prune 2 Evergreen Oak Trees. Semi-pollard and remove dead wood of 3 Sycamore Trees.	Approve Cond 01-03-1996
AW/41/96/T	Reduce and reshape by approx 1/3rd 1 Sycamore tree	Approve Cond 26-04-1996
AW/85/98/T	Fell one evergreen oak	Refused 05-08-1998

AW/178/02/T	Tree Surgery	Approve Cond 08-11-2002
AW/187/08/T	Surgery to various trees, fell one Ilex Oak and removal of shrubs	Approve Cond 22-09-2008

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection

Members unanimously voted in favour of this application.

1 Letter of Objection

The Craigweil House and its Environs Conservation Area Association consider that the light crown lifting of two Evergreen Oaks and the light pruning of easterly growth to be appropriate and have no objection to that. However, we are not persuaded that it is necessary, for sound arboricultural reasons, to fell the Evergreen Oak, as indicated. It may be dying, but it could remain an attractive visual amenity for some years. Should the Arboricultural Officer decide that it should be felled then we think that it should be replaced with a Tamarisk. A hedging of Tamarisk has existed throughout the length of the beach frontage of the Craigweil House Conservation Area which would enhance the area.

Comments on Representations received:

Noted. The Council's Arboriculturist has inspected the trees and the Evergreen Oak tree is dead and he has recommended that it be removed. Two Maritime Pine trees have recently been planted to replace this dead tree.

CONSULTATIONS

Horticulturist

Conservation Area Advisory Com

Conservation Officer

Consultations responses received:

Horticulturist

The Evergreen Oak tree marked T1 on the plan is dead and should be removed. Two Maritime Pine trees have been planted in the position to take the place of the dead one. The trees marked T2 Evergreen Oaks appear to be two trunks coming from a common source below ground and the work of pruning is to restore the balance of the tree as it is in a very exposed position. I have no objection to the proposed work for the future good practice in keeping the tree stock in good health.

Comments on Consultation responses:

Noted and agreed.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

Within the Craigweil House Conservation Area

Tree Preservation Order 2/58

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN28	Trees and Woodlands
	AREA2	Conservation Areas

PLANNING POLICY GUIDANCE

PPS1 Delivering Sustainable Development

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

There are many mature trees within and around the site and the application seeks to fell one Evergreen Oak and carry out surgery to two Evergreen Oak trees. Although the trees are of a significant height and spread they are set back from the highway and not readily visible in the street scene.

The Council's Arboriculturist has inspected the trees and considers that the felling and surgery is necessary as the Evergreen Oak tree marked T1 is dead and needs to be removed and the surgery to the two Evergreen Oaks is necessary to restore the balance of the trees. Two Maritime Pine trees have recently been planted in the vicinity of the dead tree.

It is therefore recommended to approve the application, subject to the following 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 in accordance with policy 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 policy GEN7 of the Arun District Local Plan.

- 3 The works hereby approved shall involve the crown lift and prune back of easterly growth to 2 Evergreen Oak trees and the felling of 1 Evergreen Oak. All works shall be carried out in accordance with BS3998: 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 GEN7 of the Arun District Local Plan.

- 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.