

TREE WORKS CONSENT REPORT**REF NO:** AW/59/11/T**LOCATION:** Kings Lodge
1 Kingsway
Craigweil**PROPOSAL:** Crown reduction to 4 Holly Trees to the height of 4 metres.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The four Holly trees the subject of this application but various mature and semi-mature trees within and around the site.
BOUNDARY TREATMENT	Front has close boarded fencing + hedging over 3m in height, rear has hedging and tree screening over 3m in height.
SITE CHARACTERISTICS	Detached two storey property with conservatory on side, detached garage in rear garden with access drive. The property has brickwork painted pink on lower level, red brickwork on upper level, metal window frames painted white and a red tiled roof.
CHARACTER OF LOCALITY	Private residential estate within the Craigweil House Conservation Area comprising detached properties of various styles and designs.

RELEVANT SITE HISTORY

AW/95/09/T	Crown lifting to one Sycamore tree.	Approve Cond 21-08-2009
AW/58/11/T	Crown reduction to one Pittasporum to a height of 3.8 metres.	Approve Cond 12-04-2011

REPRESENTATIONS**Representations received:**Aldwick Parish Council
Support

Members voted unanimously in favour of supporting this application.

Comments on Representations received:

None

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

Council's Arboriculturalist

I have visited the above site and met with the lady occupant of the property. The reduction in height to the Holly trees to (12ft) 4m is acceptable. However, there is a young Oak tree within the trees and this has the potential to become a prominent and suitable feature within the Kingsway locality, especially being near to the junction to the driveway. The applicant is now aware of the tree and it is recommended that this is retained, proud of the Holly.

Conservation Area Advisory Committee

No objection

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary

Within the Craigweil House Conservation Area

Building of Special Structure

Tree Preservation Order 2/58

Building of Special Character

Art 4 Direction

Public Sewer on Site

Class C Road/Barrack Lane

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [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 Holly trees are sited to the rear of the dwelling adjacent to the neighbouring property. They are of a significant height and spread and are readily visible in the street scene.

The application seeks to reduce the trees as they are reducing the natural light into the garden and neighbours bedroom window. There is a young Oak tree adjacent to the trees and the Council's Arboriculturist has inspected the Holly trees and has raised no objection to the crown reduction to 4m as it will enable the Oak tree to spread and become a prominent feature.

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.

- 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 the crown reduction to four Holly trees to a maximum height of 4m. 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.

- 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.