

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

REF NO: **AW/75/14/T**

LOCATION: Verge at entrance of The Dunes
 Aldwick Bay Estate
 Aldwick

PROPOSAL: Reduce height of 1 No. Poplar Lombardy by 3-4 metres

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
TOPOGRAPHY	Predominantly flat.
TREES	The tree the subject of this application but also other smaller trees/a hedge on the boundary with 23 The Fairway and another large Poplar in the garden of 23.
BOUNDARY TREATMENT	Open grass verges adjacent to an estate road. The boundary with 23 is a mix of trees and hedge.
SITE CHARACTERISTICS	Grass verge on the corner of the Fairway and The Dunes. Adjacent to the side boundary of 23 The Fairway.
CHARACTER OF LOCALITY	Situated within the private Aldwick Bay Estate and within the Aldwick Bay Conservation Area.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council - members agreed that the Arun Arboriculturist is consulted regarding this application and that his professional recommendations/decision is applied.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's Arboriculturist - "I agree with the principle of pruning to address issues of ongoing safety of this tree at this location. I recommend that the following works are approved:- * Crown reduce and reshape overall by 3m to 4m making all final cuts adjacent to living growth points and not leaving stubs; and * Vary the length of cut so that the tree has a more compact and rounded form and not a flat top." Also advise that there is severe ivy at ground level and that this will dominate and suffocate the new growth once the tree has been pruned down.

Conservation Area Advisory Committee - no comment.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
Conservation Area; and
Tree Preservation Order.

DEVELOPMENT PLAN POLICIES

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

Publication Version of the
Local Plan - Excluding the
Spatial Portrait, Employment,
Housing Allocations,
Transport, Monitoring and
Implementation sections
(February 2014): HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

POLICY COMMENTARY

The above policies are general and 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 application seeks to pollard an existing Poplar tree by 3-4m. The tree is located on the corner of The Dunes and the Fairway. The Council's Arboriculturist has inspected the tree and has raised no objection to the proposed surgery. It is therefore recommended that the application be approved, subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby approved to the Poplar Lombardy shall involve the crown reduction and overall reshaping by 3m to 4m making all final cuts adjacent to living growth points and not leaving any stubs. The length of each cut shall be varied so that the tree has a more compact and rounded form and not a flat top. 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.

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

- 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 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.

- 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.

- 6 **INFORMATIVE:** Please be advised that there is severe ivy at ground level which because of its vigour will dominate and suffocate the new growth once the tree has been pruned down.