

TREE WORKS CONSENT REPORT

REF NO: **AW/76/10/T**

LOCATION: Land adj to 8 Shorecroft
 Aldwick

PROPOSAL: Reduce crown of 1 No. Sycamore tree by 33%

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	One no. Sycamore tree.
BOUNDARY TREATMENT	Open grass verge to highway.
SITE CHARACTERISTICS	The tree subject of this application is located on a grass verge that lies between the highway and 8 Shorecroft, a two storey detached dwelling.
CHARACTER OF LOCALITY	The site is located in a residential cul-de-sac of two storey detached dwellings and bungalows of similar styles.

RELEVANT SITE HISTORY

AW/11/09/T	Removal of rear garden Willow tree and stump due to honey fungus infection	Approve Cond 29-04-2009
------------	--	----------------------------

REPRESENTATIONS

Representations received:

Objection. Members felt that a 33% reduction was excessive and voted to object. Members did however agree that they would support a reduction to previous pollard points.

Comments on Representations received:

Noted. A 33% reduction of the tree is tantamount to reducing the tree to previous pollard points.

CONSULTATIONS

Horticulturist

Consultations responses received:

District Arboriculturist:

I have visited the site and confirm the tree is situated very close to a boundary wall. It is multi-

stemmed, as a result of several seedlings growing together. There are paving stones piled up around the main trunk of the tree, and part of the area is surrounded by shrubs of garden species. There is a large amount of Ivy and weed growth growing upon the trunks.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area

Tree Preservation Order

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

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 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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

This application seeks permission to fell a tree at land adjacent to 8 Shorecroft. The location of the tree is such that it is visible from the street scene. However, it is not a particularly fine

specimen, as such the tree is not deemed to be of significant amenity value. The District Arboriculturist has advised that the tree is not worthy of retention, and therefore he has no objections to the proposed surgery.

It is therefore recommended that the application be approved, 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 **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.

- 4 **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.