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

**REF NO:** **AW/92/14/T**

**LOCATION:** The Pingle
99 Manor Way
Aldwick

**PROPOSAL:** Fell 2 No Sycamore trees

## SITE AND SURROUNDINGS

| | |
|---|---|
| DESCRIPTION OF APPLICATION | As above. |
| SITE AREA | N/A. |
| RESIDENTIAL DEVELOPMENT DENSITY | N/A. |
| TOPOGRAPHY | Predominantly flat. |
| TREES | None of any significance affected by the proposed development. |
| BOUNDARY TREATMENT | The Trees are dotted along the front of the property and are behind an approx. 1m part wall/part hedge. T1 is adjacent to the hedge to the side boundary which is 3m. |
| SITE CHARACTERISTICS | Front garden. 1.5 storey house with white painted bricks and tiles. There is a small wooden summerhouse in the corner of the garden between T1 and T2. |
| CHARACTER OF LOCALITY | Within a private residential estate which has a sylvan character to it. |

## RELEVANT SITE HISTORY

| | | |
|---|---|---|
| AW/231/02/TC | Application to fell one sycamore tree and lopping and topping of two sycamore trees within the Aldwick Bay Conservation Area | No Objection<br>31-01-2003 |

None.

## REPRESENTATIONS

**Representations received:**

Aldwick Parish Council

Aldwick Parish Council - "Members strongly objected to the application on the grounds that one of the trees is healthy and does not need to be felled."

**Comments on Representations received:**

Comments noted. The objection is considered to be over ruled by the comments of the Councils Arboricultural Officer. It is also noted that neither CAAC nor any residents raise any

objection.

## CONSULTATIONS

Arboriculturist

**Consultations responses received:**

Conservation Area Advisory Committee (CAAC) - No comment.

Councils Arboriculturalist - "Sycamores (x 2) Acer pseudoplatanus Height = 14m Avge spread = 4m Age = Semi Mature Grd Clr 3m: * Previously heavily topped out at about half their present size and not of high quality; * Decay in old pruning wounds and at base of T1; and * There are four trees across the front of this property in close proximity to each other so the removal of these two will allow the better quality Purple Maples to develop more fully. Recommendation: I raise No Objection to the removal of these two Sycamore trees provided that a replacement tree is planted in close proximity to T1 - to be a standard tree 8 to 10 feet tall and 8 to 10cm circumference and of one of three species."

**Comments on Consultation responses:**

The recommended conditions and informatives as set out in full within the consultation response are included in the recommendation below.

## POLICY CONTEXT

Designations applicable to the site:

Built Up Area Boundary;
Tree Preservation Order;
Conservation Area;
No Public Sewer; and
Special Control of Adverts.

## 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

## POLICY COMMENTARY

The above policies are general and, other than online Planning Policy Guidance under References ID 36-090-20140306 and 36-091-20140306, 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 two Sycamore trees are sited in the front garden and are therefore highly visible in the streetscene and thus have amenity value. However, there are two further large trees in the front garden and also a smaller Palm Tree on the highway verge outside of the property.

The Arboriculturist has commented that they are not of high quality, that there is decay in old pruning wounds & at the base of T1, and that the removal of these trees will allow the better quality Purple Maples to develop more fully. It is on this basis (and subject to a replacement tree) that the Arboriculturist recommends permission. With this in mind, it is considered correct to allow the application contrary to the Parish Council objection.

## RECOMMENDATION

**APPROVE CONDITIONALLY**

1 The works hereby approved shall involve the felling of 2x Sycamores (T1 & T2). All works shall be carried out in accordance with BS3998:2010 Recommendations for Tree Work.

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 applicant shall during the next planting season following the felling of the two Sycamore trees, the subject of this application, plant one replacement tree of a 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 a similar tree in a similar position during the next planting season. The replacement tree shall be planted in close proximity to T1 and shall be a standard tree of 8 to 10 feet tall and 8 to 10cm circumference. It shall be one of the following species: Swedish Birch - Betula pendula 'Dalecarlica', Sweet Gum - Liquidambar styraciflua or a Tulip Tree - Liriodendron tulipifera.

Reason: To retain trees in the interests of the environment of the locality in accordance with online Planning Practice Guidance reference ID 36-098-20140306.

4 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.

5 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.

6 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 amendd) 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.

7 INFORMATIVE: Bare root trees can only be planted between October and the end of March the following year but containerised stock can be planted at any time of year but may require more watering in than bare root stock.