

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

REF NO: **AW/97/13/T**

LOCATION: Land Adj to 9 Acorn End
 Aldwick

PROPOSAL: Reduction of the Sycamore sides by 2m (4m lateral prune). English Oak
 reduction of 3m of lower branches overhanging the highway.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The English Oak and Sycamore tree the subject of this application.
BOUNDARY TREATMENT	Close boarded fencing approximately 1.8m in height surrounds the site.
SITE CHARACTERISTICS	Detached bungalow with car port on side.
CHARACTER OF LOCALITY	Residential cul-de-sac comprising detached bungalows of various styles and designs.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No Objection

Members agreed that the Arun Arboriculturist is consulted regarding this application and that his professional recommendations/decision is applied.

Comments on Representations received:

See Arboriculturist's recommendation.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's Arboriculturist

I met with the lady owner and her tree surgeon yesterday regarding the two trees, the Sycamore located close to her property and the English Oak overhanging the highway. I suggested that it

report

would be appropriate to allow for the reduction of the Sycamore sides by 2m (total 4m lateral prune) and 4m from its height. The English Oak low branches 'within a height of 10m of the road' overhanging the highway were inspected and the reduction of 3m was found to be acceptable, to help restore balance to an asymmetric crown shape. I spoke with the tree surgeon who agreed that this could be done to BS3998 (2010), leaving substantial side branch growths without abruptly cuts ends.

Comments on Consultation responses:

Noted and agreed.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

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 property is sited at the end of a residential cul-de-sac and the Oak and Sycamore tree are sited in an area of 'no mans' land adjacent to the property.

The trees which are sited in close proximity to the property are causing excessive shading and the branches are overhanging the roof and the applicant is concerned that several of the branches may damage the recently installed solar panels. The application seeks for a crown reduction of 4m to the Oak and crown reduction of 3m to the Sycamore tree cutting back to old wound points.

The Council's Arboriculturist has inspected the trees and has recommended that the reduction of the Sycamore tree sides by 2m (total 4m lateral prune) and 4m from its height. The English Oak for a reduction of 3m to help restore balance to an asymmetric crown shape.

It is therefore recommended that the application be approved, subject to 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:

Sycamore - Reduce sides by 2m (4m lateral prune) and 4m from its height.

English Oak - Low branches overhanging the highway - Reduction of 3m 'within a height of 10m off the road'.

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.

- 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.