APPLICATION REF: A/103/07/T

TREE WORKS TO TPO TREES REPORT

DESCRIPTION/ ADDRESS	-	Light topping to remove one seasons growth, back to a uniform height and to reduce top spread of 6 tall Cupressus Leylandii and 10 smaller Cupressus Leylandii trees. Blue Cedars, Blue Cedars Close, Angmering.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	Numerous hedging trees approximately 6m high including the hedging trees the subject of this application.
BOUNDARY TREATMENT	The site is surrounded by hedging and shrubs approximately 2m-6m in height.
SITE CHARACTERISTICS	Two storey detached property with attached double garage, balcony detail on front elevation. The walls have reddish brown brickwork, brown tiled roof with brown windows.
CHARACTER OF LOCALITY	A residential cul-de-sac comprising a mixture of two storey detached properties.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
A/28/03/T	Topping and shaping of 6 tall and 10 smaller Cupressus Leylandii trees.	Approved/Conditionally 25-04-2003.
A/44/05/T	Surgery to row of Cupressus Leylandii trees	Approved/Conditionally 20-06-2005.
A/137/06/T	Surgery to row of 6 no. tall and 10 no. smaller Cupressus Leylandii trees.	Approved/Conditionally 06-10-2006.

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Angmering Parish Council	No objection.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council's Arboriculturist	This application is a repeat application of one which was previously made about a year ago concerning the same hedge. There is no horticultural reason to refuse this application as it is merely periodic maintenance of TPO hedge of Leylandii trees.

POLICY CONTEXT

APPLICATION REF: A/103/07/T

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary Tree Preservation Order 1/85/A (G1)

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1
Arun District Local Plan : GEN7

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
Circular 36/78
DETR TPO's A Guide to the Law and Good Practice

POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPO's are not specific to trees.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

Noted.

ASSESSMENT OF PROPOSAL

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 located at the far end of a cul-de-sac and the 16 no trees form a hedge along the south east boundary of the site. They are not readily visible in the street scene due to the presence of various taller trees in the vicinity.

The trees have been reduced in recent years and the proposed works are considered necessary and acceptable for good husbandry purposes. It is therefore not considered that the proposed surgery would compromise their significance in the area or their contribution to public visual amenity.

The Council's Arboriculturist has raised no objection and it is therefore recommended that the application be approved subject to the following conditions.

RECOMMENDATION A/103/07/T

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER)
REGULATIONS 1999

RECOMMENDATION

Application Ref: A/103/07/T

1 **To Addressee**

2 **Site Address**
Blue Cedars
Blue Cedars Close
Angmering

3 **Description of Development**
Light topping to remove one seasons growth back to a uniform height and reduce top spread of 6 tall Cupressus Leylandii and 10 smaller Cupressus Leylandii trees.

4 In pursuance of their powers under this Act and these Regulations the Council GRANT consent for the operations to be carried out in accordance with the application and plan and subject to the conditions specified.

The Council certify that they are satisfied that the conditions specified are in the interests of good forestry or in the case of trees other than those comprised in woodlands, that the trees have an outstanding or special amenity value.

RECOMMENDATION

CONDITION 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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 3 The surgery hereby approved shall involve the light topping to remove one seasons growth back to a uniform height and reduce spread of six tall Cupressus Leylandii and ten smaller Cupressus Leylandii trees. 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 in accordance with Policy DEV1 of the West Sussex Structure Plan and Policy GEN7 of the Arun District Local Plan.

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.

Case Officer: Mrs J Chapman