

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

REF NO: A/128/12/T

LOCATION: Pinehurst
West Drive
Angmering

PROPOSAL: 1x Sycamore Tree - Remove horizontal branch on north west side, 3.5 metres from ground, to lift crown and balance tree.
Crown reduction - remove up to 1.5 metres mainly on northern side of tree again to balance shape.
Remove any dead wood found.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	n/a
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	Sycamore subject of the application.
BOUNDARY TREATMENT	Low level brick wall to front of site.
SITE CHARACTERISTICS	Detached, two storey dwelling.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Angmering Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Councils Arborist:

The Sycamore has produce fine re-growth which if carefully reduced could provide a framework towards a balanced and symmetric crown shape. The tree does not require a re-lop, cutting hard into the branch-less stems as this would stimulate the growth of 'water-shoots' once again and reiterate the problems which are being experienced at this present time. A younger

report

Sycamore has been pruned appallingly further along this stretch of raise ground towards the west leaving jagged cuts.

Recommendation:

The crown lift proposed at 3.5m is acceptable. A crown reduction to not exceed 1.5m is acceptable. Both operations have been written into recommended planning conditions.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Grade II Listed Building

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 Sycamore tree is sited to front of the dwelling, forming a significant feature in the locality. The works to the Sycamore tree are acceptable from a visual point of view and given that the Councils Arborist has confirmed that the works would not affect its health, subject to the surgery being carried out in accordance with a suggested condition the proposal is acceptable.

In the absence of any undue loss to the visual amenity of the tree or its health, it is recommended that the application be approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The Crown Reduction works hereby approved shall be carried in accordance with the below requirements:

- The Crown Reduction should only affect those parts which protrude beyond a natural outline.
- The Crown Reduction must not exceed branch lengths of 1.5m
- All pruning cuts must leave healthy multiple leaf/bud bearing side branches which are 1/3rd or greater in diameter of the removed branch.
- Pruning cuts must be flat and smooth, kept as small as possible and cut at an optimum angle leaving the branch collar intact.
- Pruning wounds of all removed live branches should not exceed 40mm in diameter.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of retaining good health and amenity.

- 2 The Crown Lift works hereby approved shall be carried in accordance with the below requirements:

- The crown of the tree will be pruned to provide a maximum vertical clearance above ground level over the garden by 3.5m.
- Branches found within this clearance height having diameters greater than 50mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of retaining good health and 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 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

A/128/12/T

consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.