

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

REF NO: **A/6/13/T**

LOCATION: Field House
 The Thatchway
 Angmering

PROPOSAL: Reduce entire crown to 1No. Turkey Oak by 3 metres.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	As detailed in application.
BOUNDARY TREATMENT	1m high timber rails.
SITE CHARACTERISTICS	Single dwelling with detached garage and large front garden.
CHARACTER OF LOCALITY	Large trees common in area.

RELEVANT SITE HISTORY

A/126/00/T	Lopping of lower limbs to one Turkey Oak tree.	Approve Conditionally 28-12-2000
A/139/10/	Detached garage	Refused 26-11-2010
A/138/10/T	Lopping of lower limbs to 1x Oak tree	Refused 26-11-2010
A/124/11/	Detached garage. (Re-Submission following A/139/10).	Approve Conditionally 02-11-2011
A/19/77/TF	All semi-mature trees within Wood 1 except 4 mature trees & belt 1tree deep along frontage Approx 100 to be felled	Refused 16-03-1977

REPRESENTATIONS

Representations received:
Angmering Parish Council

- No objection.

Two letters of objection received:

- The proposed work can only expose the tree to unnecessary risk of disease/infection.
- As far as I am aware the tree in it's current state and likely future growth represents no risk to property or person and therefore what is the purpose?
- The approval to build a garage on the site already represents a potential risk to the tree.
- There has been a long history over 3 years of applying for permission to build a very large garage too close to this specimen an immaculate tree which has caused rejection of and reduction in size of the garage never built. The latest refusal quoted 'The tree makes a valued contribution to the character and wider amenity of the area and in the absence of any arboricultural justification the proposed surgery would result in a reduction of the tree's amenity value to the detriment of the character and visual amenities of the area contrary to policy GEN7 of the Arun District Local Plan.
- Our objection is based on the fact that this application is (apparently from a member of staff whose signature is obliterated online) and the serious doubt that the works proposed are in any way beneficial for this beautiful tree. We are concerned that this has the potential for a reapplication to build something larger than currently approved once the tree has been reduced in size and importance.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

Council's Arboriculturist

Concur with revised recommendation.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Outside built-up area boundary
TPO/A/2/79

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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 proposed works to reduce the crown of the tree will not result in a materially adverse amenity impact to any surrounding properties.

Council's Arboriculturist has advised that the proposed revised works are justified and the proposal is therefore recommended for approval.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 In relation to the works to the subject Turkey Oak tree the following only is approved:
 1. Remove lowest limb on west side and trim remaining branches on west side to appropriate pruning points to achieve 2 metre clearance over the garage.
 2. Remove all dead wood.
 3. Selectively thin crown by approximately 15% by targeting longest extension growth.
 4. Remove inferior crossing and rubbing branches, minor small branches and any epicormic growth from within the tree.
 5. Shorten lower branches on east side by approximately two metres to appropriate pruning points to clear interference with Leylandii screening.
 6. Clear debris from main low crotch.

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

- 2 **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.
- 3 **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

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