

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

REF NO: EG/83/14/T

LOCATION: Green in front of 17 Collins Close
Eastergate

PROPOSAL: Beech tree - Crown thin by 15% and reduction of 2m. Removal of any rubbing branches provided they are no over 100mm.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open to the highway.
SITE CHARACTERISTICS	On a grassed area within a residential cul-de-sac comprising two storey detached dwellings.
CHARACTER OF LOCALITY	Residential cul-de-sac. Properties in the immediate vicinity in Fontwell Avenue which is the main A29 are detached of various styles and designs.

RELEVANT SITE HISTORY

EG/9/09/T	Thin and reduce one Beech tree by 15-25% to help minimize the risk of infection by fungal spores and reduce the risk of the tree being bowed or losing branches in high wind.	ApproveConditionally 17-04-2009
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REPRESENTATIONS

Representations received:

Eastergate Parish Council

The Council does not object but recommends that the District Arboriculturist be asked to advise.

Comments on Representations received:

See Tree Officer's recommendation.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Tree Officer

Species: Beech *Fagus* spp Height: 15 meters Average Crown Spread: 6 meters Crown Condition: good Form: good Age Class: early mature

The outlined tree is situated on the verged outside 17 Collins close, Eastergate. It is standing in a very prominent position abutting the main highway. The surrounding landscape has a reasonable mix of differing species and mainly small and medium sized trees.

As provided by the applicant, and apparent on the site visit that this tree has had historical pruning, which emulate the works that have been applied for. As this president has now been set, there is a onus to adhere to the reduction regime. This will ensure the diameter of the regrowth does not get to a size where it could be at higher risk of 'break-outs'.

The applicant has requested to thin by 15-25%, reduce by 1-2 meters. As a 25% thin and a 2 meter reduction would equate to more than 30% of the total crown mass. This would contravene the BS 3998 2012, and is likely to have a detrimental effect on this trees health.

The applicant has also stated the desire to remove any rubbing branches that are discovered. From the site inspection it was difficult to determine the exact location and frequency of theses rubbing branches. It would be a prudent measure however to ensure any rubbing branches are removed as part any remedial pruning. Failure to so is likely to lead to failures occurring in the areas of conflict.

It would therefore be my recommendation that the proposed operation of a crown thin of no more than 15%, and a reduction of no more than 2 meters. Also the applicant should be allowed to remove any rubbing branches (provided they are not over 100mm, as they would contravene the below condition). This would mean no more than a third of the crown mass is pruned on a single occasion.

The applicant is to follow the condition below:

All side branches to be retained should be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and should not exceed 100mm in diameter.

Comments on Consultation responses:

Tree Officer comments noted

The applicant has been consulted and is happy to accept the Tree Officers recommendation for a lesser reduction.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The above policies are general and, other than online Planning Policy Guidance under References ID 36-090-20140306 and ID36-091-20140306, 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 application seeks to thin and reduce the Beech tree as the branches are encroaching on the road and nearby gardens.

The Beech tree is located on a grass area to the front of No 17 Collins Close and is highly visible to public view and a prominent feature in the street scene being of significant visual amenity value.

The Tree Officer has inspected the tree and has stated that the thin by 15%-25% and a 2m reduction would equate to more than 30% of the total crown mass and would be detrimental to the health of the tree. He has recommended that a crown thin of no more than 15% and a reduction of no more than 2m would be more appropriate with the removal of any rubbing branches provided that they are not over 100mm.

The applicant has been consulted and is happy to accept this recommendation. On this basis the application is recommended for approval, subject to conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The works to the Beech tree shall involve:

Crown thin by no more than 15% and a reduction of no more than 2m.
Removal of any rubbing branches provided they are not over 100mm.

All side branches to be retained should be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and should not exceed 100mm in diameter.

Reason: In the interest of amenity, for the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

- 2 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.

- 3 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.

- 4 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.