

Recommendation Report for Prior Notification of Work to Tree(s) in a Conservation Area**REF NO:** FG/34/15/TC**LOCATION:** 1 Home Farm Cottage
59 Ferringham Lane
Ferring**PROPOSAL:** Reduce crown of 1 No. Pear tree by 2m & reduce crown down to 1m above main stem, crown thin by 25% & remove back branches to 1 No. Fig tree within the Ferring Conservation Area.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The 1 Pear Tree and 1 Fig Tree affected by this application.
BOUNDARY TREATMENT	Boundaries are a mixture of fencing and planting.
SITE CHARACTERISTICS	These 2 trees are located towards the rear of the dwelling and close to the side boundary with the adjoining repair garage. They are partially screened by surrounding buildings and fences/planning. They do not make a significant contribution to the appearance of the Conservation Area generally, but are of amenity value to the occupiers of the application dwelling and adjoining occupiers since they contribute positively to the appearance of the application site.
CHARACTER OF LOCALITY	The character of the area is mixed.

RELEVANT SITE HISTORY

FG/78/02/	Conversion of single dwelling into 2 units & conversion of existing outbuilding	ApproveConditionally 22-10-2002
FG/79/02/L	Application for Listed Building Consent for conversion of single dwelling into 2 units including conversion of existing outbuilding	ApproveConditionally 22-10-2002
FG/154/02/L	Application for Listed Building Consent for demolition of existing outbuilding and rebuild to form bathroom	ApproveConditionally 07-02-2003

FG/155/02/ Demolition of existing out building and rebuild to form bathroom ApproveConditionally
07-02-2003

None.

REPRESENTATIONS

Representations received:

Ferring Parish Council has not commented on this application.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Arboriculturist

Conservation Officer

Consultations responses received:

The Conservation Area Committee (CAC) raises no objection and requests that the application is referred to the Council's Tree Officer.

The Council's Conservation Officer has not commented but was present at the CAC meeting.

The Council's Tree Officer advises:

T1 Species: Fig ficus spp Height: 5 meters Average Branch Spread: 2 meters Crown Condition: fair Form: fair Age Class: semi mature

T2 Species: Fig ficus spp Height: 4.5 meters Average Branch Spread: 2 meters Crown Condition: fair Form: fair Age Class: semi mature

Comments:

- The trees cited in this application are located in the area of Ferring. The surrounding landscape has reasonable mix of varying tree species, of differing age classes, that all appear to be relatively well established.

- The trees outlined are standing in a conservation area, and are not subject to a TPO order/s. This report will determine if a TPO order is required.

- It is clear from the site inspection that both T1 and T2 have been reduced on a number of occasions historically, to achieve a 'pollard' form.

- The applicant has requested to reduce the fig trees back to established pruning points. This would equate to the removal of no more than 3 meters extensional growth. According to the BS 3998 section 7.7.3, 'follow-up work after crown reduction to maintain the reduced crown as a framework for cyclic management, whereby the new branches are periodically cut back close to their points of origin'. This does mean the recommended management for these trees would be to adhere to the regime of pruning that has already been initiated.

Recommendation:

- As the requested reduction is likely to increase the retention span of both T1 and T2, I would have no objection to the proposed pruning activity.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area

Conservation Area

Listed Building, Grade 2

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

Development Plan policies are not specific to trees. National Planning Policy Guidance under references ID 36-090-20140306 and ID 36-091-20140306 is relevant.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 211(1) of the Town and Country Planning Act 1990 states:-

'Subject to the provision of this section and Section 212, any person who, in relation to a tree to which this section applies, does any act which might by virtue of Section 198(3)(a) be prohibited by a Tree Preservation Order shall be guilty of an offence.'

It is a defence to have provided notification to the Local Planning Authority 6 weeks in advance of any works. This is to enable the Local Planning Authority time to consider making a Tree Preservation Order.

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

These trees are located in a position where they are part screened and are not considered to make a significant contribution to amenity. The works proposed are a part of a maintenance regimen and are considered to be reasonable and acceptable.

The trees have not been judged to not be suitable for a Tree Preservation Order and as such there can be no objection to the works specified on these grounds.

Therefore, it is recommended that no objection is raised in relation to the proposed works.

RECOMMENDATION

NO OBJECTION

- 1 **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.

- 2 **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.