

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

REF NO: LU/27/15/T

LOCATION: Street trees on Parklands, Rustington
and Poplar Estates, Littlehampton

PROPOSAL: Various tree surgery. This application also falls within the parish of Rustington.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The trees the subject of this application.
BOUNDARY TREATMENT	Various.
SITE CHARACTERISTICS	The trees are located in various positions on the Parklands Estate.
CHARACTER OF LOCALITY	The locality of the site is residential in character with properties of various styles and designs.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Rustington Parish Council

My Council has noted the above application and wishes to raise no objection to it, subject to the approval of the local Planning Authority's Arboriculturist.

5 x Letters of Objection:

- Applicant will pass costs onto local residents.
- Which roads are effected by the proposed works?
- Who will be paying for these works to be carried out?
- Unless there are structural issues with the trees these works should be refused.
- Why are these works not being carried out by the Council?

Comments on Representations received:

Comments from Rustington Parish Council have been noted. In response to representations received in relation to this site - the Council can only determine proposed works to trees on the grounds of the impact of the works upon the health and longevity of the trees and their impact on visual amenity. The Council cannot consider who will be responsible for funding the works to be carried out. Details as to the trees which are the subject of this application are included on Tree Location Maps 1 and 2 and are available to view on the website. The

works have been assessed by the Council's Tree Officer who has evaluated the proposed works and their impact upon the trees. The trees are not owned by the Council and as such responsibility for maintenance falls upon the owner of the land on which the trees are located.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's Tree Officer:-

Comments:

- The outlined trees are situated around a housing estate, which surrounds Brookfield Park. The surrounding landscape has a fair mix of mainly small to medium sized trees.
- The outlined trees are TPO'ed. This report will assess the proposed regime of works.
- The applicant has requested; to crown lift G22 to no more than 3 meters over the southern side. This should alleviate conflict with users of the footpath underneath.
- The applicant has requested; to crown lift G1 to no more than 3 meters over the Eastern side. This should alleviate conflict with users of the various roads underneath.
- The applicant has requested; to crown lift T1 to no more than 2 meters over the Eastern side. This should alleviate conflict with users of the children's play area.
- The applicant has requested; to crown lift T2, T3, and T4 to no more than 3 meters. This should alleviate conflict with users of the highway underneath.
- The applicant has requested; to crown lift T5 to no more than 2 meters over the South/Eastern side. This should allow access to mow the grass underneath.
- The applicant has requested; to reduce the lateral spread of T6 by no more than 0.5 meters. This would not have a negative impact on the longevity and/or aesthetic value offered.
- The applicant has requested; to crown lift to T7 to no more than 3 meters over the Eastern side. This should alleviate conflict with users of the road to the north. Also the applicant has requested to crown lift to 2 meters on the grass verge 'side'. This should allow access to mow the grass underneath.
- The applicant has requested; to crown lift to T8 to no more than 1.8 meters over the northern side. This should allow access to mow the grass underneath.
- The applicant has requested; to crown lift to T9 to no more than 3 meters over the southern side. This should alleviate conflict with users of the highway underneath.
- The applicant has requested; to crown lift to T10 and T11 to no more than 3 meters over the southern side. This should alleviate conflict with users of the highway underneath.
- The applicant has requested; to crown lift to T12 to no more than 3 meters over the Northern side. This should alleviate conflict with users of the highway underneath.

- The applicant has requested; to crown lift to T13 and T14 to no more than 3 meters. This should alleviate conflict with users of the highway underneath.
- The applicant has requested; to remove the 'basal suckers' and the epicormic growth present on T15. This would not have a negative impact on the longevity and/or aesthetic value offered.

Recommendation:

- The outlined operations are clearly designed to allow access, and prevent conflicts occurring. It is clear that the outlined operations are unlikely to have lasting negative effects on the trees highlighted in this application. For these reasons I have no objection to the proposed operations.
- The following conditions are to be adhered to when completing the proposed works;

Conditions:

Crown Reduction

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 interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

Crown Clean

The Crown Clean should consist of deadwood and stub removal where all cuts should be made to the branch collar. Where crossing branches are encountered the weaker branch/branches should be reduced or removed to avoid contact between them. The remaining branch/branches should be shortened as appropriate to relieve 'end weight' and sudden exposure by reducing the leaf bearing branch tips by no more than 30%.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

Crown Lift

Branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Adopted Local Plan

Class A Road

Tree Preservation Order

Class B Road

No Public Sewer

PD Restriction

Open Plan Condition

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 ID 36-091-20140306, 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 trees are prominent features within the street scene and provide a considerable benefit to the visual amenity of the area.

The trees have been assessed by the Council's Tree Officer and no objection has been raised in relation to the proposed works as they are deemed to have no lasting impacts upon the trees. The proposed works will not include felling of any trees and as such the proposed works are not deemed to adversely impact upon the visual amenity of the area. Therefore, it is recommended that this application is approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 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 interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

- 2 The Crown Clean should consist of deadwood and stub removal where all cuts should be made to the branch collar. Where crossing branches are encountered the weaker branch/branches should be reduced or removed to avoid contact between them. The remaining branch/branches should be shortened as appropriate to relieve 'end weight' and sudden exposure by reducing the leaf bearing branch tips by no more than 30%.

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

- 3 Branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

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

- 4 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.

- 5 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.

- 6 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.

- 7 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.