

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

REF NO: M/88/15/T

LOCATION: 8 Hadley Close
Middleton on Sea

PROPOSAL: Crown reduce & lift 2No. Oak trees by 1.5m

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	Open to front. Mature hedging/trees supplementing timber fencing to rear of site.
SITE CHARACTERISTICS	Detached two storey dwelling.
CHARACTER OF LOCALITY	Residential cul-de-sac. Characterised by 2 storey dwellings.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Middleton Parish Council

No Objection.

1 x Letter of Support;

· Proposal supported subject to consideration of bats and the use of a qualified tree surgeon.

Comments on Representations received:

Comments from the Parish Council Noted.

This approval 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. An informative warning the applicant that to do so is illegal has been included with this approval.

The Council are unable to Condition the use of a fully qualified tree surgeon. However, the works have been specified to be in accordance with BS 3998:2010 which will ensure the continued health and vitality of the trees in accordance with current industry guidelines and arboricultural practice.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's Tree Officer:

Comments:

- The tree cited in this application is located in the rear garden of 8 Hadley Close, Middleton.
- The applicant has applied to Crown reduce & lift 2No. Oak trees, and remove the epicormic growth.
- From the site inspection it is apparent that both T1 and T2 have had some minor formative pruning along the northern flanks (spanning towards the neighbour's house).
- The applicants request to remove the epicormic growth is considered a good industry practise, as it prevents tears occurring to the main cambium layer.

Recommendation:

- I would have no objection to the proposed operations of no more than a 2 meter crown reduction to the northern sections (areas spanning towards the neighbouring property) only of both T1 and to T2.
- The following conditions are to be adhered to when completing the proposed reduction operation.

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 and conditions included.

POLICY CONTEXT

Designations applicable to site:
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 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 have been inspected by the Council's Tree Officer who has acknowledged that the proposed works are in accordance with good industry practice. No objection has been raised in relation to the proposed works subject to the inclusion of relevant conditions.

Therefore, it is recommended that the proposed works are approved subject to the below conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

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

- 2 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%.

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- 3 **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.

- 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 **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.

- 6 **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.