

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (**REF NO:** R/190/12/T**LOCATION:** Knightscroft House
Sea Lane
Rustington**PROPOSAL:** Fell 1no. Sycamore tree & fell left hand 'fork' on Sycamore tree**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	n/a
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Various hedging and fencing.
SITE CHARACTERISTICS	Detached two storey Grade II listed building, divided into flats. Bungalows surround property.
CHARACTER OF LOCALITY	Private residential estate.

RELEVANT SITE HISTORY

R/37/90/T	Crown thinning of one Willow and two Italian Poplar trees	Approve Conditionally 08-05-1990
R/198/99/T	Reduce by 30% 3 no. Acer Sycamore trees, deadwood 1 no. Holm Oak tree and remove branch and thin by 30% 1 no. Black Poplar tree.	Approve Conditionally 05-01-2000
R/89/84/T	Tree application for topping 2 pines & lopping 1 Acer & 1 willow & 1 poplar trees	Approve Conditionally 27-06-1982

REPRESENTATIONS**Representations received:**

Rustington Parish Council

No objection; subject to the approval of the Councils Arborist.

Comments on Representations received:

Noted.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

COUNCILS ARBORIST:

I have visited the site met with the applicant and identified the Sycamore trees. No structural defects were detected to indicate they are dangerous. There is a history of topping of the upper crown portion and similar work was suggested which the applicant appeared to accept. Conditions for acceptable works suggested.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built-up area boundary

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

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 works to the trees are for good arboricultural reasons, the surgery would therefore be acceptable, subject to the conditions suggested by the Councils Arborist.

It is therefore recommended that the works are approved, subject to the conditions set out below.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 All work to be carried out in accordance with BS3998 (2010) in accordance with the requirements below.

1) Multiple growths of approximately 3-4metres in length emerging from the pollard points found in the upper crowns of T7, T8 and T15 must not be cut below these swollen knuckle points of origin.

2) Branch wounds must be kept to a minimum diameter of 100mm.

3) Stub protrusions of 100mm should remain proud of the knuckle points to provide areas for new growth to emerge.

4) The removal of the remaining lateral branch growths must not exceed 3metre lengths all around the periphery of T15 and for the south portion of T7 where they grow towards the bungalow No.5/6.

5) All pruning cuts must leave healthy multiple leaf/bud bearing side branches which are 1/3rd or greater in diameter of the removed branch.

6) Pruning cuts must be flat and smooth, kept as small as possible and cut at an optimum angle leaving the branch collar intact

7) Pruning wounds of all removed live branches should not exceed 50mm in diameter.

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

- 2 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.

- 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

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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.