

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order**REF NO:** R/211/15/T**LOCATION:** 1 St. Anthony's Way
Herne Road
Rustington**PROPOSAL:** Various surgery to 1No. Copper Beech tree**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The tree the subject of this application.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	The site is occupied by an end of terrace two storey dwelling.
CHARACTER OF LOCALITY	The character of the locality is predominantly residential in nature and features properties of various designs and styles.

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.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's Tree Officer:

Comments:

- The tree outlined in this application is located in the rear garden of 1 St. Anthony's Way, Rustington.
- From the site inspection it is evident that T1 has had previous reduction/s.
- The applicant has applied to reduce the lateral spread by 2 meters on the north flank, and a 1 meter height reduction.

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· It is evident that the applied for reductions emulate the historic reductions that have been undertaken previously.

Recommendation:

- I would have no objections to the proposed operations to reduce the northern lateral spread by 2 meters, and a 1 meter height reduction only to T1.
- The following conditions are to be adhered to when completing the proposed operations;

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.

Comments on Consultation responses:

Comments noted

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

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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 tree is a prominent feature within the street scene and has been inspected by the Council's Tree Officer.

The Council's Tree Officer has stated that the proposed reductions replicated historic reductions that have been previously undertaken, as such no objection is raised in relation to the proposal subject to the inclusion of relevant conditions.

Therefore, it is recommended that permission is granted for the proposed works 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.

- 3 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.

- 4 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and

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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.

- 5 **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.