

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

REF NO: R/288/14/T

LOCATION: Various locations on the
Rustington Sea Estate
Rustington

PROPOSAL: Various tree surgery

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	n/a
TOPOGRAPHY	Predominantly flat
TREES	The trees that form the subject of this application.
BOUNDARY TREATMENT	n/a
SITE CHARACTERISTICS	The trees are located at various positions across the residential Sea Estate.
CHARACTER OF LOCALITY	Predominantly residential.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Rustington Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's arboriculturalist

No objection.

· T1 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

· T2 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

· T3 - the proposed operation is unlikely to have adverse consequences of this trees health,

form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T4 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. Moreover, removing the brace in the crown is likely to improve the retention span of said tree, and is seen as 'best practise' by industry standards. It should also allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T5 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. Moreover, removing the epicmoric growth is likely to increase the retention span, and is seen as 'best practise' by industry standards. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T6 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T7 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full access residents dwelling. I would therefore not have an objection to outlined proposal.

- T8 - the proposed operation is likely to greatly reduce the risk posed by said tree, as this tree has evidence of heave in the basal area, and is in a poor overall condition. I would therefore not have an objection to outlined proposal.

- T9 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T10 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T11 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. Moreover due to the complete unbalance nature of the crown, the proposed operation is likely to greatly increase the retention span of said tree. I would therefore not have an objection to outlined proposal.

- T12 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T13 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T14 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T15 - the proposed operation is likely to greatly reduce the risk posed by said tree, as the crown is imbalanced currently and is poor condition. Any attempt at remedial work to improve the retention span of said tree is unlikely to improve the retention span. I would therefore not have an objection to outlined proposal.

- T16 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T17 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T18 - the proposed operation is unlikely to have adverse consequences of this trees health,

form and or longevity. It should however allow full access to the garden abutting the outlined tree. I would therefore not have an objection to outlined proposal.

- T19 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T20 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T21 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow pedestrians access along the footpath. I would therefore not have an objection to outlined proposal.

- T22 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T23 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway and the abutting driveway. I would therefore not have an objection to outlined proposal.

- T24 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T25 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

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- T26 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T27 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

- T30 - the proposed operation is unlikely to have adverse consequences of this trees health, form and or longevity. It should however allow full vehicle access along the highway. I would therefore not have an objection to outlined proposal.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

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

This application seeks various maintenance works to be carried out to 30no. trees that are spread out across the residential Sea Estate. These trees are generally located on estate verges and so visually prominent. However, there is only one felling being proposed (T8) which is a Pine tree outside no. 71 Sea Avenue and the loss of this tree will not adversely affect the visual amenities of the street scene.

The Council's arboriculturalist has no objection to the works. Each tree has been plotted, examined and appraised in terms of its health and vitality in relation to the proposed works.

It is therefore considered that the application be approved subject to the following condition.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby permitted shall comprise those works as set out in the submitted schedule entitled 'Proposed TPO work for 2014 and 2015 - Edition 1' with the application form which is signed and dated 24-11-2014.
- 2 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.
- 3 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.
- 4 INFORMATIVE: The applicant is advised of the Council's arboriculturalist's comments in

respect to the works, namely:-

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.

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%.

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.