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

REF NO: **R/44/15/T**

LOCATION: 1-23 Stansfield Court
Mill Lane
Rustington

PROPOSAL: Lift by 5.2m over road & deadwood 1 No Sweet Chestnut tree, lift by 3m to 1 No. Conifer, 1 No. Maple & 1 No. Birch tree & cut back 1 No Larix tree to give 3m clearance.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The 1 Sweet Chestnut, the 1 Conifer, the 1 Maple, the 1 Birch and the 1 Larix the subject of this application are located in an area where there are a considerable number of trees. These other trees are not the subject of this application.
BOUNDARY TREATMENT	The site boundaries with highways are open to the west with some specimen trees and characterised by hedgerow to the south within which or adjacent to are specimen trees. The site is open plan with some specimen trees. Most trees are located in public areas, although 2 small groups and 2 single trees are located to the rear of apartment blocks and in fenced areas.
SITE CHARACTERISTICS	The site is a group of 3 apartment block set in mature landscaped grounds, with trees as described above.
CHARACTER OF LOCALITY	The general character of the area is residential, with busy highways running north to south and east to west.

RELEVANT SITE HISTORY

R/131/95/T	Removal of dead limbs to 2 Scots Pines. Thin crown and removal of 1 major bough to 1 Horsechestnut tree	ApproveConditionally 08-11-1995

R/278/05/T	Reduce and re-shape canopy by up to 30% & thin crown by up to 15% of 1 no. Horse Chestnut tree	ApproveConditionally 10-02-2006
R/9/11/T	Crown lift of 2m to 1 No. Chestnut tree (castenea sativa).	ApproveConditionally 21-03-2011
R/107/12/T	Crown clean to remove dead wood and damaged branches; remove large damaged limb approximately 3m up on main stem; remove approximately 1.5m top section of main stem to suitable prunning point to 1 No Chestnut tree	Refused 21-06-2012
R/7/15/T	Lift by 5.2 m over road & deadwood 1 No. Sweet Chestnut tree, cut back from building to give 3 m clearance & lift crown by 3 m to 2 No. Maple trees, cut back from building to give 3 m clerarance & clear phone lines to 1 No. Chestnut tree	Inc Docs Ret'nd 05-02-2015

None.

REPRESENTATIONS

Representations received:

Rustington Parish Council

Rustington Parish 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:

None.

CONSULTATIONS

Arboriculturist

Consultations responses received:

The Council's Tree Officer comments:

T3 Species: Sweet Chestnut Castanea sativa Height: 12 meters Average Branch Spread: 5 meters Crown Condition: fair Form: fair to good Age Class: mature
G3 Species: Lawson Cypress, Maple, and Birch - Chamaecyparis Lawsoniana sp, Acer spp, Betulus spp Height: 11 meters (average) Average Branch Spread: 3.5 meters (average) Crown Condition: fair Form: fair Age Class: semi mature
G6 Species: Pine, Larch - Pinus, Larix Height: 10 meters Average Branch Spread: 3 meters Crown Condition: good Form: fair Age Class: semi mature

The trees cited in this application are situated on a grass verge outside that wraps around the outside of Stansfield court. All the highlighted trees are visible from the main highways that abut the site. The wider landscape has a good mix of manly semi mature/mature specimens of both broadleaved and conifer trees.

For T3, the applicant has applied to crown lift the western side of this individual to 5.2 meters. A crown lift of this size would prevent any potential conflict between the vehicles using the

highway (which is situated just under the western extremities of T3's canopy). The proposed crown lift to T3 would only see small diameter material removed, which is unlikely to have a lasting negative impact on the atheistical value offered by T3.

For G3, the applicant has applied to crown lift to 3 meters all-round the canopy of the highlighted trees. A crown lift of this size would prevent any potential conflict between the pedestrians using the pathways that run underneath G3. The proposed crown lift to G3 would only see small diameter material removed, which is unlikely to have a lasting negative impact on the atheistical value offered by G3.

For G6, the applicant has applied to reduce the western lateral spread to allow a 3 meter clearance to the onsite building. This lateral reduction would only see a maximum of a 2 meter reduction to the western lateral spread. This action would have an negligible effect on G6, as the
western spread does extend further that the eastern spread currently.

Recommendation:

· For T3, I would have no objection to the proposed operation of a crown lift of no more than 5.2 meters.

· For G3, I would have no objection to the proposed operation of a crown lift of no more than 3 meters.

· For G6, I would have no objection to the proposed operation of a crown reduction to allow no more than a 3 meter buffer zone between the onsite flats and the western extremities of G6 only.

When completing the approved pruning operations, the following condition are to be adhered to:

Condition 1: 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.

Condition 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%.

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

Conditions 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.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Within Built Up Area
Tree Preservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

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.

The Adopted local Plan, the Emerging Local Plan and the Rustington Neighbourhood Plan contain no policies relating specifically to applications for works to TPO'd 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 are considered to represent a sensible maintenance approach/plan.

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

These trees are part of an overall group of trees which make a significant contribution to the setting of this development, the amenity of occupiers of the apartments, surrounding occupiers and the appearance of the area generally. The works proposed

As the works are considered to represent a sensible maintenance approach/plan, they are likely to contribute to extending the length of time the trees continue to make a contribution to amenity.

The works do not result in detriment to the trees or to amenity.

It is therefore recommended that the application be approved, subject to the following conditions and informatives:

RECOMMENDATION

APPROVE CONDITIONALLY

1 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.

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 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.

4 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.

5 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.

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.