

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

REF NO: R/9/15/T

LOCATION: Manor Cottage
Station Road
Rustington

PROPOSAL: Reduce height by 2m & radial spread by 1m maximum with pruning cuts not to exceed 45mm in diameter to 1 No. Oak tree.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The 1 Oak the subject of this application. There are other trees in the vicinity, but these are not affected.
BOUNDARY TREATMENT	There is a 3m boundary hedge line immediately to the rear of this tree. In addition, the estate entrance gate and ranch type fence is adjacent.
SITE CHARACTERISTICS	This tree is located on the grass verge outside of the curtilage of the dwelling. The location of the tree is at the corner at the junction of station Road with Angmering Lane and therefore a prominent location. Manor Cottage nearby is a Grade II Listed Building.
CHARACTER OF LOCALITY	The locality is characterised by large detached dwellings with substantial amounts of planting and a considerable number of trees.

RELEVANT SITE HISTORY

N/A

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

Conservation Officer

Consultations responses received:

The Conservation Area Advisory Committee raises no objection.

The Council's Tree Officer comments that:

This tree is located a on a grass verge outside Manor cottage. This tree is visible from the highway, and is part of a landscape that does have a high frequency of semi mature/mature trees.

From the site inspection, it is clear that T1 is in poor condition (dynamic mass of less than 15%). This does mean large amounts of aerial deadwood present.

The desired reduction is likely to remove sections of lateral spread that are either in poor condition or dead/dying. As this tree is likely to be in the retrenchment phase of its lifecycle, it is likely the canopy will continue to see more accumulations of aerial deadwood.

Recommendation:

I would have no objection to the proposed operation of no more than 2 meter height reduction, and a lateral reduction of no more than 1 meter.

The following conditions are recommended:

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

Within Built Up Area

Adjoins Grade II Listed Building

Conservation 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.

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 subject tree makes a significant contribution to the appearance of the area, the setting of the Listed Building and the Conservation Area. It is in a very prominent location and its' continued wellbeing and retention should therefore be encouraged. Whilst this tree is in poor condition, it nevertheless is still likely to have a reasonable lifespan remaining.

The works are considered to represent a sensible maintenance approach/plan and are likely to contribute to extending the length of time the tree continues to make a contribution to amenity, the setting of the Listed Building and the Conservation Area.

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

RECOMMENDATION

APPROVE CONDITIONALLY

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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 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.

- 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.