

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

REF NO: WA/14/12/T

LOCATION: Myrtle Cottage
The Street
Walberton

PROPOSAL: Remove dead wood & damaged limbs/spurs from 1 no. Monterey Pine tree & lightly tip back the lower lateral limbs.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Monterey Pine tree the subject of this application but various trees within and around the site.
BOUNDARY TREATMENT	Site is surrounded by flint walling and hedging approximately 2m-3m in height.
SITE CHARACTERISTICS	Grade II Listed Building. Two storey detached dwelling with rendered and flint faced elevations.
CHARACTER OF LOCALITY	Within the Walberton Conservation Area. Residential comprising two storey properties of varying styles and designs. Parade of shops to north of the site.

RELEVANT SITE HISTORY

WA/29/96/T	Remove all major deadwood and tip limb over the road of one Monteray pine tree	Approve Cond 29-04-1996
WA/77/10/T	Remove lowest branch on east side of 1 no. Scots Pine.	Approve Cond 06-10-2010

REPRESENTATIONS

Representations received:

Walberton Parish Council

No objection

Comments on Representations received:

None

CONSULTATIONS

report

Council's Arboriculturalist
Conservation Area Advisory Com

Consultations responses received:

Council's Arboriculturalist

The tree has been identified as a Monterey Pine and not a Scots Pine as stated within the application. The tree has suffered limb loss and appear as forcibly snapped branches possibly by high winds. Shortening the affected branches to healthy side growth and reducing the lengths of those located near to the damage is recommended, reducing the potential of their fracture in the future. The Crown reduction applies to those branches nearest the damaged limbs which are located on the east side. The reduction should not exceed the removal of branch lengths greater than 2m. The broken branches should be cut to healthy substantial needle/leaf bearing side branches. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle.

Conservation Area Advisory Committee
Awaited.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Within the Walberton Conservation Area
Grade II Listed Building
Tree Preservation Order WA/1/91
Class C Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [AREA2](#) Conservation Areas

PLANNING POLICY GUIDANCE

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 211(1) of the Town and Country Planning Act 1990 states:-

'Subject to the provision of this section and Section 212, any person who, in relation to a tree to which this section applies, does any act which might by virtue of Section 198(3)(a) be prohibited by a Tree Preservation Order shall be guilty of an offence.'

It is a defence to have provided notification to the Local Planning Authority 6 weeks in advance of any works. This is to enable the Local Planning Authority time to consider making a Tree Preservation Order.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise

report

than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The Scots Pine tree which has been identified by the Arboriculturist as a Monterey Pine is the subject of Tree Preservation Order 1/91. It is sited in the rear garden in the south east corner and is of a significant height and spread and is readily visible above the boundary walling in The Street and as such is deemed to be of significant public visual amenity.

The application seeks to lightly tip back the larger lower lateral limbs with the removal of any damaged limbs and major dead wood. Surgery to the tree has been carried out on a regular basis the last application being approved under WA/77/10/T for the removal of a branch on the east side of the tree.

The Council's Arboriculturist has inspected the tree which has suffered limb loss possibly by high winds and has raised no objection to the shortening of the affected branches and reducing the lengths of those located near to the damage.

It is therefore recommended that the application be approved, subject to the following conditions.

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 in accordance with policy GEN7 of the Arun District Local Plan.

- 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 in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The works hereby approved to the Monterey Pine tree shall involve:

A crown reduction to those branches nearest the damaged limbs which are located on the eastern side. The reduction should not exceed the removal of branch lengths greater than 2m and broken branches should be cut to healthy substantial needle/leaf bearing side branches. Pruning cuts to be flat & smooth and kept as small as possible by cutting at an optimum angle. All works shall be carried out in accordance with BS3998:2010 Recommendations for Tree Surgery.

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

- 4 **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.

- 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.