

TREE WORKS CONSENT REPORT**REF NO:** WA/18/11/T**LOCATION:** Two Ways
Avisford Park Road
Walberton**PROPOSAL:** Crown reduction to 1 no. Beech tree.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Beech tree the subject of this application, Oak tree adjacent to this tree. Monterey Pine tree which was affecting the growth of the Beech tree has now been felled.
BOUNDARY TREATMENT	Front has tree screening, shrubs and hedging, east side boundary hedging approximately 2m in height, west side boundary close boarded fencing approximately 1.8m in height, rear has close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached bungalow with detached garage to front on western side boundary. The property has rendered walls painted grey, red tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential comprising detached properties of various styles and designs.

RELEVANT SITE HISTORY

WA/64/91/T	Lop 1 Beech	Approve Cond 04-11-1991
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REPRESENTATIONS**Representations received:**

Walberton Parish Council

Tree Wardens comments. It is only a short time since they felled the entwining pine in order to improve the beech. If the work is done sympathetically, I see no problem but I would sooner see it done next winter because it will probably be in leaf by the time this goes through or have fast running sap.

Comments on Representations received:

Comments noted

See Arboriculturist's comments regarding proposed surgery. If approved an informative will be placed on the decision regarding the 1981 Wildlife and Countryside Act regarding bat roost and nesting birds.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's Arboriculturist

I have inspected the above tree and can see that a crown reduction would benefit the Beech tree which had previously been affected by the growth of an adjacent Monterey Pine that has now been removed. I would therefore recommend the Beech is reduced from the Oak by 2m, from the north by approximately 4m, from the east by 3m. There is a requirement for crown reduction from the south, however branches are affecting the power line on this side and would need to be prune cleared to provide a 1m distance.

Comments on Consultation responses:

Noted and agreed

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary
Tree Preservation Order 2/79
Class B Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

XXX1	Circular 36/78
XXX2	DETR TPO's A guide to Law and Good Practice

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 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 Beech tree is covered by Tree Preservation Order TPO/2/79 T2. It is sited to the front of the site and is readily visible in the street scene being of public visual amenity.

The application seeks to reduce the tree by 35% as it is affecting the growth of an adjacent Oak tree and causing problems with electrical cables. A previous application to lop the Beech tree WA/64/91/T was approved on the 4th November 1991.

The Council's Arboriculturist has inspected the tree and has recommended that a staggered crown reduction would benefit the Beech tree rather than a 35% reduction as its growth has been previously affected by an adjacent Monterey Pine which has now been removed. The applicant has been consulted and has agreed the Arboriculturist's recommendation for the proposed surgery.

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.

- 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 The works hereby approved shall involve:
Reduce Beech tree from adjacent Oak tree by 2m, from the north by approximately 4m and the east 3m. Branches affecting the power line on the south side to be pruned back to provide a 1m distance. All works shall be carried out in accordance with BS3998:1989 Recommendations for Tree Work.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of 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.