

Recommendation Report for Prior Notification of Work to Tree(s) in a Conservation Area

REF NO: **WA/37/14/TC**

LOCATION: Lodge Cottage
 The Street
 Walberton

PROPOSAL: Prune back easterly lateral growth by 1.5 metres to 1 No Magnolia Grandiflora and 1 No Fig tree, fell and grub out dead and dying Leylandii and remove 1 No Purple Malus within the Walberton Village Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The trees the subject of this application.
BOUNDARY TREATMENT	1m high flint walling to front and 2m high walling to the rear garden.
SITE CHARACTERISTICS	Two storey detached Grade II Listed Building with flint faced elevation adjacent to the highway.
CHARACTER OF LOCALITY	Residential area, on a main road consisting of a mixed style of properties, the majority of which are notable in character.

RELEVANT SITE HISTORY

No comments.

REPRESENTATIONS

Representations received:

Walberton Parish Council:

No Comments received.

Conservation Area Advisory Committee:

No Objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Arboriculturist
Conservation Officer

Consultations responses received:

Council's Arboriculturalist:

Comments:

- Outlined trees are located in the high amenity area of Walberton village.
- All trees can be seen from the main road, due to their size however they have a limited impact on the landscape.
- T-1 has leaned over significantly to the east, and would benefit from a reduction to allow apical growth to prevail.
- T-2 has also got a lean to the east, should be rebalanced with an easterly reduction.
- T-3 is in fair to poor condition. It has been pruned regularly, however foliage has started to die off in areas. It is also over a meter wide, and is encroaching into the garden area.
- T-4 is in a poor condition, with less than 50% of the crown density you would expect from a healthy specimen of this species.
- Also the planting of a beech hedge along the boundary line would be in keeping with the landscape of the village, and arboriculturally speaking is sound practise.

Recommendation:

- It would therefore be my recommendation that this proposed application of works should be allowed with the below conditions.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designations applicable to the site:

Adopted Local Plan
Class C Road
Outside Built Up Area
Listed Building Grade II
Conservation Area
No Public Sewer

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 36-091-20140306, 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 than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

All of the trees the subject of this application are clearly visible within the street scene due to their size. However, they provided limited value to the visual amenity of the area. The Council's Arboriculturalist has not identified any trees upon the site worthy of protection from a Tree Preservation Order.

Therefore, no objection was raised in relation to these proposed works by the Council's Arboriculturalist.

RECOMMENDATION

NO OBJECTION

- 1 **INFORMATIVE:** It is advised by the Council's Arboriculturalist that where whole branches are to be removed final cuts close to the trunk or branch union should be made as shown in Figure 2 of BS3998:2010 and all shortened branches are to be cut at the correct angle (see also BS3998:2010) and adjacent to a live bud or lateral.
- 2 **INFORMATIVE:** It is advised by the Council's Arboriculturalist that the Crown Reduction should not exceed the removal of single branch lengths which are greater than 1m from the periphery of the original crown diameter. The branch removals should leave healthy substantial leaf bearing side branches. 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.
- 3 **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.

- 4 **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.