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

REF NO: **WA/53/15/TC**

LOCATION: Longwall
The Street
Walberton

PROPOSAL: Fell 1 No. Maple tree & crown lift to 6m height overhanging highway to 1 No. Weeping Ash tree within the Walberton Village Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	There are a number trees in a large residential garden with a large detached property in Walberton. In particular there is a whole tree belt of mature trees along the boundary with The Street.
BOUNDARY TREATMENT	Flint and lime boundary wall with a belt of high deciduous hedges and trees approximately 8 metres wide along The Street running west to east.
SITE CHARACTERISTICS	A traditional manorial large residential garden with a large detached manor type house in Walberton.
CHARACTER OF LOCALITY	A residential area in village centre of Walberton in a historic Conservation Area

RELEVANT SITE HISTORY

A number of applications to do works to trees in the Walberton Village Conservation Area have been submitted and received no objection from the Council in the last 15 years. Non einvolved the specific trees subject of this application.

REPRESENTATIONS

Representations received:

Walberton Parish Council

No objection

Comments on Representations received:

Noted

CONSULTATIONS

Arboriculturist

Conservation Officer

Consultations responses received:

Conservation Area Advisory Committee - No Objection

ADC Parks & Greenspace Arboriculture - Tree Officer

Comments:

· The trees cited in this application are located in the front garden of Longwall, The Street, Walberton.

· For T1, the applicant has applied to fell this specimen. From the site inspection it is evident that T1 is dead standing.

· For T2, the applicant has applied to crown lift to 6 meters over the highway. From the site inspection it is clear that the applied for operation is designed to prevent conflict with vehicles using the highway below.

Recommendation:

· As T1 is dead standing, I would have no objection to the proposed felling operation.

· For T2, I would have no objection to the proposed crown lift operation of no more than 6 meters, as it clearly designed to prevent interference with vehicles using the highway.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designations applicable to site:-

ADOPTED LOC PLN
CLASS C ROAD
CONS 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 ID 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

The Council's Tree Officer has assessed trees T1 and T2.
T1 is dead standing and there he has no objection to its felling.
In order to prevent interference with vehicles using the highway it is considered that a crown lift operation of no more than 6 metres as proposed is acceptable to T2.
Therefore, in accordance with the comments of the Council's Tree Officer, subject to suggested conditions, it is recommended that no objection is raised in relation to the proposed works.

RECOMMENDATION

NO OBJECTION

1 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.

2 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.

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.