TREE WORKS CONSENT REPORT

REF NO: **WA/91/11/T**

LOCATION: Maple Parade
The Street
Walberton

PROPOSAL: Crown reduction to 1 no. Whitebeam tree to previous knuckle/lopping points and crown reduction to 1 no. Purple Plum tree.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Whitebeam and Purple Plum tree the subject of this application.
BOUNDARY TREATMENT	Front is open to the highway, side boundary wall + close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Parade of six retail units with parking to the front. The trees the subject of this application are located on a grassed area outside the Post Office on the eastern side boundary.
CHARACTER OF LOCALITY	Within the Village centre and Conservation Area which comprises residential properties of various styles and designs, some of notable character.

RELEVANT SITE HISTORY

WA/78/03/T	Light crown lift to one Whitebeam, one Purple Plum and one Ornamental Apple tree and prune back overhang on Purple Plum and Whitebeam.	Approve Cond 06-10-2003

REPRESENTATIONS

Representations received:

Walberton Parish Council

No objection.

1 Letter of Objection

The West Sussex Wildlife Protection Group opposes the application on the basis that no

surgery unless dead or dangerous.

Comments on Representations received:

Noted
See Arboriculturist comments.

CONSULTATIONS

Council's Arboriculturalist
Conservation Area Advisory Com

Consultations responses received:

Council's Arboriculturist
The Whitebeam tree should be retained but crown reduced, limiting the extent of pruning cuts to not exceed the previous knuckle/lopping points. The Purple Plum to be crown balanced where necessary to provide a more symmetrical shape by limiting the amount to be removed by not exceeding 0.5m.

Conservation Area Advisory Committee
No comment.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Within the Conservation Area
Class C Road
No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	AREA2	Conservation Areas

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 Whitebeam and Purple Plum tree are sited on a grass verge outside of The Post Office in Maple Parade on the eastern side boundary and are of a significant height and spread being of public visual amenity.

The trees are covered by Tree Preservation Order WA/3/99 and the application seeks to reduce the trees as they are restricting natural light into the nearby shops and flats. A previous application WA/78/03/T was approved on the 6th October 2003 to crown lift both trees and surgery was carried out at that time.

The Council's Arboriculturist has recommended that the Whitebeam tree have a crown reduction limiting the extent of pruning cuts to not exceed the previous knuckle/lopping points. The Purple Plam tree is to be crown balanced where necessary to provide a more symmetrical shape by limiting the amount to be removed by no more than 0.5m. The applicant has been informed and is happy to accept the recommendation.

It is therefore recommended to approve the application, 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 shall involve:-

Whitebeam - Crown reduction, limiting the pruning cuts to not exceed the previous knuckle/lopping points.

Purple Plum - Crown balanced where necessary to provide a more symmetrical shape by limiting the amount to be removed by not exceeding 0.5m.

All works shall be carried out in accordance with BS3998:2010 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 amendd) 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.