

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

REF NO: Y/80/15/T

LOCATION: Little Oaks
Bilsham Road
Yapton

PROPOSAL: Various surgery to 1No Common Oak

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above.

TOPOGRAPHY

Predominantly flat, but these dwellings on west side of the highway are located on plots which are higher than the road by approximately 1m.

TREES

The tree affected by this application is a significant one and is located to the front of the dwelling on the plot. It makes a significant contribution to the street scene and to visual amenity.

BOUNDARY TREATMENT

The front boundary of the plot is open. To the sides at the front there are 1.5m wooden panel fences.

SITE CHARACTERISTICS

The site is occupied by a bungalow which is set back from the road. The tree is significant and screens the front of the bungalow in terms of light to some degree and also the adjoining dwelling to the north to a greater degree. The tree also overhangs adjoining properties and the highway.

CHARACTER OF LOCALITY

The character of the area is residential, although there is some minor commercial.

RELEVANT SITE HISTORY

Y/80/97/T	Lopping of 1 no English Oak tree	ApproveConditionally 09-01-1998
Y/9/08/T	Crown reduction to 1No. Common Oak	Refused 17-04-2008

The tree has been the subject of a maintenance regimen and this application appears to be a continuation of this.

REPRESENTATIONS

Representations received:

Yapton Parish Council

Yapton Parish Council raises no objection.

No representations have been received from nearby occupiers.

Comments on Representations received:

Noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

The Council Tree Officer comments:

T1 Species: Oak Quercus spp Height: 12 meters Average Branch Spread: 7 metres

Crown Condition: fair Form: fair Age Class: mature

Comments:

- The tree cited in this application is located in the front garden of Little Oaks, Bilsham Road, Yapton. The outlined tree is subject to a TPO order.
- The applicant as applied to reduce T1 by 2 meters. From the site inspection it is evident that T1 has had a previous reduction that does emulate the proposed reduction of 2 meters.
- According to the BS 3998 section 7.7.3, 'follow-up work after crown reduction to maintain the reduced crown as a framework for cyclic management, whereby the new branches are periodically cut back close to their points of origin'. This does mean the recommended management for these trees would be to adhere to the regime of pruning that has already been initiated.

Recommendation:

- No objection to the proposed operation of a crown reduction of no more than 2 meters to T1 to the established pruning points.
- The following conditions must be adhered to when completing the proposed pruning operation:

Condition:

Crown Reduction

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.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

within Built Up Area

Tree Preservation Order

Class B Road

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice 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 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 subject tree is a very substantial on which makes a significant contribution to visual amenity. it does however dominate the dwelling at the site and those in this group of dwellings, particularly the dwelling to the north. The tree has been managed in the past and it does have a negative impact on the amenity (light) of the application dwelling and that to the north. The proposed surgery will address the amenity/light issue and will not prejudice the future wellbeing of the tree or its contribution to amenity. The works are therefore considered to be acceptable.

It is recommended that consent be granted subject to conditions and informatives.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works to the crown hereby permitted shall not exceed a reduction of more than 2 metres and shall adhere to the previously established regimen of pruning and new branches shall be cut back close to their points of origin. Works shall comply with BS 3998: 2010 Tree work.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

- 2 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.

- 3 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.

- 4 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.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

- 5 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.

- 6 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.