Development Management - Delegated Officer Report

Application Number: **Recommendation –** Approve
AWDM/0826/12

Site: **71 The Green Southwick**

Proposal: **Proposed works to 1 no Elm tree (T1) protected under Order No. 13 of 2002 comprising; reduction of overall crown by 2 metres leaving a height of 4/5 metres and canopy lift by 1 metre, together with thinning**

Proposal
The application relates to 1 no. Elm Tree in the rear garden of No. 71 The Green Southwick.

Permission is sought to reduce its overall crown by 2 metres leaving a height of 4/5 metres and lift its canopy by 1 metre, together with thinning

Consultations

Adur and Worthing Councils: The Council's Arboriculturist states *it is large tree in a comparatively restricted area. As we are currently at the height of summer, it is important that the danger of beetle infection has passed, before any works to Elms are carried out. This would be from October onwards.*

Relevant Legislation

Town and Country Planning Act 1990
British Standard BS 3998 (2010) "Recommendations for Tree Works."

Assessment

Public Amenity

The tree is established and viewable from the public open space known as The Green in Southwick, between the wide 'gap' of No. 71 and the building to the south. It is a large tree in a comparatively restricted area.

The value of the tree therefore retains its public amenity worth for continued protection.

The proposed works would lessen the visual prominence of the tree as it would reduce its overall crown and height. However even after this work, the tree would remain a prominent feature that would still successfully contribute to the verdant character and appearance of the public space known as The Green, and the setting of the period properties around.

In addition the proposed works would successfully resolve the issue of the overhanging to the garage compound at the back of No. 71.

Recommendation

Approve Consent subject to the following conditions:-

i) The tree works shall be carried out in accordance with the revised specification of works dated 11th July 2012

ii) The approved tree works, to which Condition 1 of this consent relates, shall be only carried out between the end of October 2012 and the end of February 2013.

Informatives:

i) The applicant is strongly advised to ensure that the contractor carrying out the work is made aware of the above conditions. Should the works carried out exceed that which is permitted then it may be open to the Local Planning Authority to take prosecution action against the owner of the tree(s) and the contractor. If the applicant is unclear about any aspect of the specification for works, they are strongly advised to contact the Council's Arboricultural Officer prior to the commencement of the works.

ii) The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000.

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 tree etc during this period could lead to an offence under the act.

Under the 2000 Act, it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at 15 Cloisters House, 8 Battersea Park Road, London, SW8 4BG. Their telephone number is 020 7627 2629.

Case Officer: Matthew Porter Date: 1.8.12

Authorised by: Peter Barnett Date: 3 August 2012