

TREE WORKS CONSENT REPORT**REF NO:** **AW/165/11/T****LOCATION:** 26 Chawkmare Coppice
 Bognor Regis**PROPOSAL:** Reduce & reshape crown of 1no.English Oak by no more than 1m and light trimming to lower canopy**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 635 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The Oak tree the subject of this application stands sentinel towards a corner in the rear garden of the site.
BOUNDARY TREATMENT	Side boundaries are marked by approximately 1.8 metre high timber fencing whilst the rear boundary has approximately 2 metre high hedging in places.
SITE CHARACTERISTICS	The site is occupied by a detached chalet type dwelling.
CHARACTER OF LOCALITY	The site is located on a residential road that is characterised by detached dwellings of a mixture of designs and scales that are set back from the road with open frontages helping to create a spacious appearance. There are a number of mature trees, primarily to the sides and rear of dwellings that act as a visual buffer between buildings on Chawkmare Coppice and those in neighbouring streets.

RELEVANT SITE HISTORY

AW/275/86/T	Lop 2 small oak trees	Approve Cond 08-12-1986
AW/300/05/T	Application for surgery to one Oak Tree	Approve Cond 15-02-2006

REPRESENTATIONS**Representations received:**

Aldwick Parish Council

ALDWICK PARISH COUNCIL: No objection.

One letter of objection from West Sussex Wildlife Protection: No tree surgery due to nesting birds.

Comments on Representations received:

Noted. An informative will be attached to any approval given drawing the attention of the applicant to their duty to protect nesting birds as per the requirements of the 1981 Wildlife & Countryside Act.

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

The proposed tree work is acceptable.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

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 Oak tree is not part of the main groups of trees that act as a visual buffer between buildings on Chawkmare Coppice and those on neighbouring roads. It does, however have a level of

amenity value by way of providing an element of greenery on the alleyway which it overhangs, this is in keeping with the general visual pattern of the surrounding area.

The proposed works will not dramatically alter the appearance of the tree, which will continue to serve as an important visual amenity feature. Further, the works will benefit the tree and the safety of pedestrians by removing overhanging branches that may obstruct pedestrians and ensuring the tree does not exert pressure on the fence that flanks the alleyway.

It is therefore recommended that the application is approved, subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby approved shall involve the reduction of the crown of an English Oak by a maximum of 1 metre and a light trimming of the lower canopy.

All works should be carried out in accordance with British Standard 3998: 2010: Recommendations for tree work.

Reason: In the interests of the health and appearance of the preserved tree.

- 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 **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.