

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (**REF NO:** **AW/167/14/T****LOCATION:** 7 Coastguard Cottages
 110 Barrack Lane
 Bognor Regis**PROPOSAL:** Crown reduce 1 No. Holm Oak by a maximum of 2 metres and reduce side lateral branches overhanging neighbours property.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open to front, close boarded fencing to front of Coastguards Cottage, brick wall and piers at entrance to Colts Bay.
SITE CHARACTERISTICS	Two storey dwelling with white rendered walls.
CHARACTER OF LOCALITY	Residential area comprising detached properties of various styles and designs in Colts Bay, terraced properties Coastguards Parade, Row of shops opposite Coastguards Parade.

RELEVANT SITE HISTORY

AW/1/06/T	Prune back growth from overhanging bough of 1 Evergreen Oak tree by 15%.	ApproveConditionally 21-02-2006
AW/159/09/T	Fell 1 Evergreen Oak tree	ApproveConditionally 15-10-2009
AW/207/13/T	Remove westerly limbs (approx 16 metres) of 1 No. Holm Oak	Refused 23-10-2013
BR/82/81/T	Fell one evergreen oak and trim two	ApproveConditionally 18-03-1981

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No Objection

Members agreed that the Arun Arboriculturist is consulted regarding the application and that his recommendations/decision is applied.

Comments on Representations received:

Parish Council comments noted

See Tree Officer's recommendation.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Tree Officer

Species: Holm Oak *Quercus ilex*,

Height: 11 meters

Average crown spread: 3 meters

Condition: Good

Form: Good to fair

The outlined tree is part of a group of holm oaks that are highly visible from the main highway and add character to the landscape. Clear evidence of previous historic pruning works that have been undertaken to lift branches off the neighbour's boundary. This historic pruning appears to have met the BS 3998:2010 guidelines on positions of final cuts, and correct choice of suitable growing points. According to the BS 3998, no more than 30% of live matter should be taken out the crown during a single operation. This does mean the requested lateral reduction of 2 meters would be too much if it was an all over crown reduction. However as indicated the proposed works, there would be a 2 meter reduction away from the neighbours boundary, a metre off the height, and then some 'shaping of the rest of the tree to ensure the form is not upset. The combination of works should be about the 30% of the living crown, which is permitted by the BS 3998:2010.

It is therefore my recommendation to allow this works to continue, as this is a continuation the cycle of historic pruning (which has appeared to done in accordance with the BS 3398:2010).

Condition To Be Applied to All Approved Works: -

Where whole branches are to be removed final cuts close to the trunk or branch union are to be made as shown in Figure 2 of BS3998:2010 and all shortened branches are to be cut at the correct angle (see also BS3998:2010) and adjacent to a live bud or lateral.

Reasons: 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:

Tree Officer comments noted.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

No Public Sewer

Class C Road
Tree Preservation Order AW/363/10

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 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 Holm Oak tree is sited to the front of the site and is covered by Tree Preservation Order AW/363/10. It is readily visible in the street scene and of public visual amenity value.

A previous application AW/207/13/T for removal of the westerly limbs of the Holm Oak tree was refused on the basis that there was no arboricultural justification for the removal of the stem nearest to the highway as no fault was found.

The Holm Oak tree is sited on the western side boundary and the application seeks for a crown reduction and reduction of the side lateral branches which are overhanging the neighbouring property No 1 Colts Bay.

The tree has been pruned previously and the Council's Arboriculturist has raised no objection to the proposed surgery. It is therefore recommended to approve the application subject to conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The works hereby approved to the Holm Oak tree shall involve:

Crown reduction by a maximum of 1m in height. Reduce side lateral branches overhanging neighbouring property by 2m and shape remaining crown of tree.

Where whole branches are to be removed final cuts close to the trunk or branch union are to be made as shown in Figure 2 of BS3998:2010 and all shortened branches are to be cut at the correct angle (see also BS3998:2010) and adjacent to a live bud or lateral.

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 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 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.