

TREE WORKS CONSENT REPORT**REF NO:** AW/190/08/T**LOCATION:** Aldwick Farm
Aldwick Road
Bognor Regis**PROPOSAL:** Fell one Hornbeam**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Felling of 1 No. Hornbeam Tree
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	Many mature trees within and around the site, including the Hornbeam the subject of the application.
BOUNDARY TREATMENT	Undefined
SITE CHARACTERISTICS	Number of largely single storey farm buildings, several converted to residential use.
CHARACTER OF LOCALITY	Land abutting roundabout, heavily covered with mature trees and undergrowth

RELEVANT SITE HISTORY

None

REPRESENTATIONS**Representations received:**

Aldwick Parish Council

Aldwick Parish Council: Objection

The tree does not appear to be dead, dying or dangerous and no Arboriculturist report was included to support the application. This contravenes Arun DC policy i.e. that a report from an accredited Arboriculturist must be included when permission is being sought to fell a tree. Members believed the application should therefore be returned to the applicant with a request for such a report.

Comments on Representations received:

Noted. In this case, the applicant has not submitted a report by a tree professional on grounds of health and safety as it is not considered applicable. In this case, the application has not been returned because the Council's Arboriculturist Officer believes that there is a case for felling the tree on safety grounds.

CONSULTATIONS

Horticulturist - Mr Everson

Consultations responses received:

District Arboriculturist:

The Hornbeam tree is situated right against the entrance to Aldwick Farm and is leaning rather precariously, and has, obviously been struck by high sided vehicles entering the farm area as there are wounds showing this on the main trunk between 3m and 4m off the ground level.

The situation is that this tree will be a reasonable tree, it is suppressed by the surrounding dominant species and its safety will continue to be in question. Would suggest that it be removed.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
 Within built up area boundary
 Open Plan condition
 Class C Road
 Affects setting of Grade II Listed Building
 Tree Preservation Order

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1	Locational Strategy
	DEV1	High Quality Development
Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN28	Trees and Woodlands

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
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POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPO's, 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

There are many mature trees within and around the site and the application seeks to fell one of those, a Hornbeam Tree, that is set amongst these. The tree is of considerable height and spread and is of public visual amenity value in the street scene.

The tree is in a reasonable condition but, according to the District Arboriculturist, shows evidence of being struck by high sided vehicles entering the farm area. It is considered, by the District Arboriculturist, to exhibit a precarious lean.

As such, the Council's Arboriculturist has stated the tree should be felled for safety reasons (although there is no arboricultural reason to fell), in order to rectify the potential hazard for vehicles entering the farm area.

It is therefore, taking the above into account, recommended that consent to fell the tree be granted, subject to the following conditions.

RECOMMENDATION**APPROVE CONDITIONALLY**

- 1 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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 2 The applicant shall during the next planting season following the felling of the tree, the subject of this application, plant replacement tree of a species and maturity and in positions approved by the Local Planning Authority and under its supervision and in the event that any such trees die within five years following such planting shall replace them by similar trees in similar positions during the next planting season.

Reason: To retain trees in the interests of the environment of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and 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.