

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

REF NO: **AW/285/13/T**

LOCATION: 15 Apple Grove
 Bognor Regis

PROPOSAL: Various tree surgery to 1 no. Oak tree

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The Oak tree is located in the rear garden of the property.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	The tree that forms the subject of this application.
BOUNDARY TREATMENT	Brick walling to front, close boarded fencing to rear.
SITE CHARACTERISTICS	A two storey detached property.
CHARACTER OF LOCALITY	Predominantly residential in character.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Aldwick Parish Council
Awaited.

Comments on Representations received:

None

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's arboriculturalist
No objection.

Situated to the rear of the house and not really visible from a point of public access. Hence I have no issues with them keeping it under control as proposed. I recommend:

- Reduce by half (50%) the length of the limb to the south-west side
- Reduce and reshape by 2.5m overall
- Crown lift to give a 2m ground clearance

Comments on Consultation responses:

Comments are noted.

POLICY CONTEXT

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

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 situated in the rear garden of the property and overhangs the western and southern boundaries of the site. A tree consultant has been employed by the applicant to recommend the proposed works which includes reducing an overextended limb to the south-west of the tree by 50%, a crown lift by a maximum 30% and removal of all deadwood from the canopy.

The tree is situated to the rear and as such does not contribute to the visual amenity of the street scene. Consequently, there will be no adverse effect caused by these works.

The Council's arboriculturalist has raised no objection to the works. He recommends reducing by half (50%) the length of the limb to the south-west side, reducing and reshaping the tree by 2.5m overall and a crown lift to give a 2m ground clearance.

It is therefore recommended that the application be approved subject to the following condition.

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.

- 2 The works hereby approved relate to 1 Oak tree and shall involve the reduction by half (50%) the length of the limb on the south-west side, a reduction and reshaping by 2.5m overall and a crown lift to give a 2m ground clearance. Removal of dead wood is exempt from protection. All works shall be carried out in accordance with BS3998: 2010 Recommendations for Tree Work.

Reason: To ensure that the Local Planning Authority can control works to protected trees in the interests of visual amenities of the locality.

- 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.