

TREE WORKS CONSENT REPORT

REF NO: **AW/296/11/T**

LOCATION: 88 Westminster Drive
 Bognor Regis

PROPOSAL: Various tree surgery to 4 no. Field Maple trees & 4 no. English Oak trees

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for:- crown reduction of approximately 1.5-2 metres and re-shape the canopies of 4No. Field Maples; removal of dead wood from the canopies of 4No. English Oak Trees and crown lift of 2.5-3 metres to second Oak Tree from the west.
SITE AREA	Approximately 675 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this application.
BOUNDARY TREATMENT	None to front. 1.8 metre high close boarded timber fencing to rear and side boundaries.
SITE CHARACTERISTICS	Detached, two storey modern dwelling.
CHARACTER OF LOCALITY	Open-plan residential estate, comprising detached two storey modern dwellings and bungalows.

RELEVANT SITE HISTORY

AW/191/97/T	Various tree surgery to 4 No. Field Maple & 4 No. Oak trees	Approve Cond 05-02-1998
BR/601/80/T	Fell 3 Sycamore trees	Approve Cond 17-09-1980

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection. Members agreed that the Arun Arboriculturist is consulted regarding this application and that his professional recommendations/decision is applied.

1 Letter of Support:-

The trees have not been lopped or managed in 30 years. Support the recent and subsequently endorsed Tree Preservation Order, as these trees are a great asset to us and the area. Concerned to witness new and dead wood falling onto the footpath. For a healthy tree future (and people) please allow this application through.

Comments on Representations received:

Noted.

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

Arboriculturist: I visited the site and found the work proposed by the Arun Tree Company acceptable.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built-up area boundary

Tree Preservation Order 2/58; provisional order AW/63/10

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 4No. English Oak Trees are located adjacent to the rear (north) boundary of the application property. Owing to their height and canopy spread, the English Oak Trees are visible from

Westminster Drive and footpath no. 3033, which runs parallel with the application site at the rear. Collectively, the English Oak Trees are considered to have significant public amenity value. The 4No. Field Maples are located within the rear garden of the application property, but are set back from the highway and are deemed to have less amenity value.

The works are requested in the interests of good arboricultural practice and to reduce excessive shading to the rear garden of the application property.

The Council's Arboriculturist has inspected the trees and finds the proposed works acceptable.

It is therefore recommended that consent is 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 policy GEN7 of the Arun District Local Plan.

- 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 in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The works hereby approved shall involve the crown reduction of approximately 1.5-2 metres and re-shape the canopies of 4No. Field Maples; removal of dead wood from the canopies of 4No. English Oak Trees and crown lift of 2.5-3 metres to second Oak Tree from the west. All works shall be carried out in accordance with BS3998: 1989 Recommendations for Tree Works.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 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.