

TREE WORKS CONSENT REPORT**REF NO:** **AW/60/11/T****LOCATION:** Old Place House
 Aldwick Road
 Bognor Regis**PROPOSAL:** Remove 100% of the branches of 1 no. Yew tree**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The tree the subject of this application but various trees within and around the site.
BOUNDARY TREATMENT	Front has brick piers with wrought iron entrance gates + close boarded fencing and tree screening over 3m in height, side boundaries mixture of close boarded fencing and conifer hedging 2m-over 3m in height.
SITE CHARACTERISTICS	Detached property with detached double garage on side, brick outbuilding and wooden summer house in front garden. The property has stone clad walls, herringbone design brickwork over front porch, red tiled roof with black and white window frames.
CHARACTER OF LOCALITY	Main road comprising residential properties of various styles and designs.

RELEVANT SITE HISTORY

AW/235/01/T	Reduce crown by 25% of 1 Flowering Cherry, reshape and remove low limbs over drive. Remove 50% of extension growth of 1 Silver Maple and balance crown.	Approve Cond 04-01-2002
BR/560/72/T	Fell two trees	Refused 07-08-1972
BR/313/74/T	Application to fell 3 macrocarpa	Refused 06-06-1974

BR/216/75/T

Lopping of 8 macrocarpa trees

Approve Cond

14-05-1975

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Members voted in favour of supporting this application.

Comments on Representations received:

None

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

Council's Arboriculturalist

I visited the site and met with the owner. The tree is small, insignificant and has been suppressed by the larger Yew tree growing above it. The branches of the tree are supported by numerous ropes and its growth obstructs the driveway. Reducing or removing this smaller, distorted tree would not be detrimental to the visual appearance of the area and therefore the proposal is acceptable.

Comments on Consultation responses:

Noted and agreed.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

Class C Road

Tree Preservation Order 2/58

No Public Sewer

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 application seeks to remove lower branches of one/two yew trees that have been shaped into box hedging that are sited to the front of the dwelling in between the garage and house.

The yew branches forming the hedging have been tied up for many years and are collapsing. The branches are spreading across the driveway and obstructing the turning of vehicles by the garage. The Council's Arboriculturist has inspected the hedging which has been suppressed by the larger Yew tree growing above it and he has raised no objection to its removal.

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

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 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.

- 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.

- 3 The works hereby approved shall involve the 100% removal of the lower branches of Yew tree(s) which currently form a hedge. All works shall be carried out in accordance with BS3998:1989 Recommendations for Tree Work.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity.

- 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.