

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

REF NO: **AW/85/12/T**

LOCATION: Headland House
 Strange Garden Estate
 Bognor Regis

PROPOSAL: Remove 3 metres from crown of 1 no. Twisted Oak tree which is hollow. Trim 1 metre from crown of 1 No. Twisted Oak beside it.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	2no. Oak Trees within rear/side garden and various mature trees within the vicinity of the application site.
BOUNDARY TREATMENT	High hedging and fencing to side boundaries. Beach to rear.
SITE CHARACTERISTICS	Detached two storey modern dwelling located at the end of a private residential cul-de-sac. Beach abuts property to the rear (south).
CHARACTER OF LOCALITY	Predominantly residential comprising a private estate of large, detached two storey dwellings of various character and design.

RELEVANT SITE HISTORY

AW/243/03/	Conservatory to rear.	Approve Conditionally 24-10-2003
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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.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

Arboriculture: No objection, subject to conditions. I have visited the site and inspected the two Oak Trees. Due to the nature of the pruning request the proposed work is acceptable and the pruning should accord with good Arboricultural practice in accordance with BS3998 (2010) subject to the suggested condition.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

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 Oak Trees form part of a group of trees within the side garden of the property and are protected by group TPO AW/2/58. They are considered to have very limited public amenity value, being positioned at the end of a private residential estate, and are not of sufficient height or maturity to be prominent or visible within the streetscene.

The application seeks to trim the crown of 1no. hollow Oak Tree by 3 metres and to remove 1 metre from the crown of a second Oak Tree, owing to squirrel damage.

The Council's Arborist has inspected the site and is of the opinion that the proposed work is acceptable. All pruning works should accord with good Arboricultural Practice and the relevant

British Standard BS 3998 (2010).

It is therefore recommended that consent is granted, subject to the conditions outlined below.

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 Crown Reduction should not exceed the removal of branch lengths greater than 3 metres from the hollow Oak Tree nearest the property and 1 metre from the 2nd Oak Tree affected by Squirrels.

All pruning cuts must leave healthy leaf bearing side branches where possible, which are one third or greater in diameter of the removed branch.

Pruning cuts must be flat and smooth, kept as small as possible and cut at an optimum angle leaving the branch collar in tact.

Pruning wounds of removed branches must not exceed 100mm in diameter.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of retaining good health and 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

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immediately and contact Natural England before continuing.