

TREE WORKS CONSENT REPORT**REF NO:** AW/92/10/T**LOCATION:** 70 Aldwick Fields
Bognor Regis**PROPOSAL:** Raise crown 5 m and thin crown 20% to 1 No Oak tree**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	One no. Oak tree
BOUNDARY TREATMENT	Open to front.
SITE CHARACTERISTICS	The site is a two storey detached dwelling with integral garage and hardstanding area to front.
CHARACTER OF LOCALITY	The site is located in a residential road of predominantly two storey detached dwellings of a similar style.

RELEVANT SITE HISTORY

AW/244/07/T	To fell one Monterey Pine Tree.	Refused 24-10-2007
AW/121/09/T	Cut back lowest limb to give sufficient clearance from building, reduce fourth limb to balance the tree and remove all major deadwood to one Scots Pine.	Approve Cond 01-09-2009

REPRESENTATIONS**Representations received:**

Aldwick Parish Council

Objection:

Members unanimously objected to this application. Members agreed that this is a healthy and substantial Oak tree and an important visual amenity. Aldwick Fields is a quiet road with very little traffic and with this in mind members could not support the description of works given as good reason.

Comments on Representations received:

Noted. It is not considered that the proposed works would harm the tree. Further, it is

understood they are required in the interests of highway safety.

CONSULTATIONS

Horticulturist

Consultations responses received:

District Arboriculturist:

This particular Oak tree is a remarkable example of English Oak situated on the Northern side of the property, and there is quite a large area of the tree which overhangs the highway. The application has been made to lift the whole crown by 5 metres to give sufficient clearance over the highway and I would suggest that it is only the area which overhangs the highway that needs to be lifted to this height.

The rest of the crown should be lifted by a maximum of 4 metres, in addition to which there should be the removal of dead, dying and diseased wood for which they do not need to make a formal application. With regard to the crown thinning I do not perceive any need to undertake this work at the time.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

South East Plan:

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
------	------------------------------------

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

This application seeks permission for works to one no. Oak tree at 70 Aldwick Fields. The application seeks permission to raise the crown of the tree by 5 metres and to thin the crown by 20%.

The tree is located on a grass verge adjacent to the front of the property and is a prominent feature in the street scene. As such the tree is deemed to be of significant amenity value.

The District Arboriculturist has been consulted and has advised that the large area of the tree overhanging the highway should be raised by 5 metres, the remainder should be raised by 4 metres.

It is appreciated that the proposed works may vary slightly from that suggested by the District Arboriculturist. However, it is considered that the works proposed are not so different from those suggested by the Arboriculturist that they would harm the tree.

It is therefore recommended that the application be approved, 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 in accordance with policy GEN7 of the Arun District Local Plan.

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

- 3 The works to the Oak tree hereby approved shall only involve the lifting of the crown by no more than 5 metres, and the thinning of the crown by no more than 20 %.

Reason: In order to protect the health and appearance of the tree in the interests of the visual amenities of the locality 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.