

Planning Officer: Simon Davis

Planning Application Ref: BE/180/16/PL (3) Updated comments appear in blue typeface – 18.04.17

Location: Land adj. to 2 North Bersted Street, Bognor Regis

Description of works: Construction of 1 No two storey dwelling on a narrow storage yard

Comments On Application:

In the comments which follow the applicants responses as sent in are in italics and my comments on them are in blue typeface.

The self-seeded sycamores in question are located beyond the site boundary, are not quality trees and are not protected by TPOs. The applicants could, tomorrow if they wished, trim all overhanging branches back to the boundary line entirely legally. Therefore, to refuse planning permission on the grounds that, in the future someone may wish to do something that is entirely legal and does not require planning permission is clearly not a valid reason for a refusal and the applicants have indicated that they would appeal if this was a reason given for such a refusal. The fact that they don't carry out such trimming now demonstrates that they are as keen as others for the trees to remain.

It is true to state that these Sycamore trees are self-seeded and not of a quality whereby we might want to place them under a Tree Preservation Order - nevertheless they exist and BS5837:2012 requires that we take them into consideration in the light of any proposal to develop in close proximity – overhang of branches is not the only consideration here as they are positioned to the south side of the development site and thus will cast heavy shade across the house and garden. They are also young trees with significant growth potential so as they grow and their crowns eventually meet up along the boundary line there will be a solid screen of leaves and branches and even more intense shading of the garden.

They may exercise their right under Common Law to prune back branches in line with their boundary if they so wish. However, Sycamore are prolific growers and any pruning is likely to generate a growth response from the trees and where you make one cut five or more new branches may arise from around each pruning point.

My objection is about the overall relationship of house to trees and the sustainability of development on this plot – I accept that constructing a dwelling here is possible but it is the ongoing relationship between trees and house owner that leads me to conclude that there will inevitably be pressure to 'prune or fell' these trees – which equates to poor planning and design.

Sycamore have a propensity to readily seed into open ground and this is likely to lead to conflict when a new garden is proposed within the direct 'drop zone' of these seeds which will be a cause of constant irritation for the new owners. Additionally we have the problem of aphids feeding on the leaves and excreting sticky sugary sap that drips from the trees in the Summer months adhering to paintwork and paths and patio surfaces as well as garden furniture and also washing hanging out on the line – resulting in discolouration and damage.

If, in the future, anyone based at the application site did wish to have the trees felled, the fact that they are not in control of the applicant means that such pressure can have no effect. The church, whose land they are located on, have already indicated that they wish the trees to remain.

Whilst the Church as tree owners might currently wish to see these trees remain for screening and separation purposes – in future under pressure from a complaining neighbour they may well feel obligated to take action and remove the trees to avoid conflict. It would be irresponsible of Arun DC not to do all in their powers at this juncture to avoid such conflict by promoting good design and resisting development on this site.

The supplementary picture of the south east edge of the as site posted on the planning portal (enc below) demonstrates how the low eaves building proposed can be constructed without trimming the trees. The proposed building overlaps the furthest extent of the canopy of one tree by about 1M but, as can be seen from the photograph, the tree in question has a base some 750mm above the FFL of the proposed building and has a tall and ragged canopy. The eaves of the proposed building will easily fit below the plastic bag shown caught in the canopy meaning that no trimming will be required.

If you do not cut the overhanging branches back they will directly overhang the roof and guttering of the new dwelling casting shade and at certain times of the year filling guttering with leaves potentially blocking downpipes.

The planning issues have to be judged on the situation as it is presented now. The applicants have demonstrated that a perfectly acceptable property, complete with south facing garden can be constructed without “Pressure to fell or prune the off-site trees” now or in the future. Planning guidance does not require gardens to be in full sun or to be so remote from existing trees that gutter protection is not required.

I think we are judging this situation as it is presented now and highlighting the problems and areas of conflict which will arise from day one and get worse as the years go by.

Recommendations:

- As things stand I would have to sustain an **OBJECTION** to this scheme as I feel that the relationship of trees to dwelling would inevitably lead to conflict and ‘pressure to prune or fell’ these trees. In essence it boils down to the fact that in my opinion trees and dwelling cannot exist in harmony here so you either have one or the other but not both.

Bernie Harverson

Consultant Arboriculturist