APPLICATION REF: BR/154/06/T

TREE WORKS TO TPO TREES REPORT

DESCRIPTION/ ADDRESS	-	Lop 7 no. Macrocarpa trees to within 3m of ground level. Autumn Lodge, 172 Aldwick Road, Bognor Regis.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	The trees the subject of this application.
BOUNDARY TREATMENT	Rear west side boundary has close boarded fencing approximately 1.8m, side east boundary has 1.8m-2m close boarded fencing, rear north boundary has close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached property with various extensions currently used as a Residential Care Home. The walls are rendered white with green painted windows and a brown tiled roof.
CHARACTER OF LOCALITY	Main Road with detached properties of various styles and designs.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
BR/196/86	Two storey extension.	Approved/Conditionally 09-07-1986.
BR/467/86	Extension to kitchen area, provision of fire escape stair, revised roof design.	Approved/Conditionally 04-02-1987.
BR/228/90	Extension of existing Rest Home to form additional two single rooms.	Approved/Conditionally 23-07-1990.
BR/91/95	Proposed extensions and alterations.	Refused 14-07-1996 Part Allowed on Appeal 03-01-1996.
BR/302/05	Kitchen extract duct with screening.	Approved/Conditionally 17-10-2005

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Bognor Regis Town Council	No objection.
West Sussex Wildlife Protection	Comment re: nesting birds.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council's Arboriculturist	The trees are the remains of screen planting and have now grown to such a tremendous height and are no longer of low screen value. The seven trees have vertical faults in the main trunks which render them dangerous and therefore the height should be reduced.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built Up Area Boundary Tree Preservation Order 2/58

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1
Arun District Local Plan : GEN7

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development
Circular 36/78
DETR TPO's: A Guide to the Law & Good Practise

POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPO's, are not specific to trees.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

Noted – an informative is placed on the decision notice regarding nesting birds.

ASSESSMENT OF PROPOSAL

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/other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

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CONCLUSIONS

The trees are sited to the rear north east boundary of the site and are overhanging the rear gardens of the properties Nos 22 & 24 Westway. The trees have grown to such a height that they are no longer low screen value and are higher than the building. The Council's Arboriculturist has inspected the trees and the seven trees have vertical faults in the main trunks and for the future health of the trees it is recommended that they are reduced in height. The surgery is therefore considered necessary and acceptable for good husbandry purposes, with no previous surgery being undertaken as highlighted by the site history.

It is not considered that the proposed lopping will compromise the significance of the group of trees or adversely affect public visual amenity and it is therefore recommended that the application be approved, subject to the conditions set out overleaf.

BOGNOR REGIS BR/154/06/T

Lop 7 No. Macrocarpa trees to within 3m of ground level.

Autumn Lodge
172 Aldwick Road
Bognor Regis

RECOMMENDATION

Approve Conditions

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 policies DEV1 of the West Sussex Structure Plan and 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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

3 The works hereby approved shall involve the lopping of 7 no. Macrocarpa trees to within 3m of ground level. 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 DEV1 of the West Sussex Structure Plan and 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.