

TREE WORKS CONSENT REPORT**REF NO:** BR/165/10/T**LOCATION:** Car Park
Servite Close
Bognor Regis**PROPOSAL:** Application for the crown reduction of one no.Sycamore tree by 20%.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This application seeks consent for the crown reduction of 1 No. Sycamore Tree by 20%.
SITE AREA	N/A.
RESIDENTIAL DEVELOPMENT DEN	N/A.
TOPOGRAPHY	The tree that is the subject of this application is sited on a raised grass bank.
TREES	The Sycamore tree as per the application. There are also various trees within the surrounding area.
BOUNDARY TREATMENT	The tree is located in a car park area to the rear of properties in Servite Close. The north side is bordered by a wall that is approximately 3m in height, close boarded fencing approximately 1.8m in height to the east and south side of the site.
SITE CHARACTERISTICS	The tree that is the subject of this application is located on a raised grass bank in the car parking area, to the rear of terraced properties in Servite Close. The properties have red brickwork, with white window frames and a brown tiled roof.
CHARACTER OF LOCALITY	Residential area comprising two storey terraced properties, three storey flats and semi-detached properties in Hawthorn Road.

RELEVANT SITE HISTORY

BR/282/94/T	Fell one Ash tree, prune out dead wood and reduce crowns of 9 no. Ash trees, 5 no.Sycamore trees and 1 no.Silver Birch tree.	Approve Cond 31-03-1995
BR/167/98/T	Various tree surgery	Approve Cond 02-10-1998

BR/240/99/T	Fell one Birch tree, two Sycamore trees and reduce height of two Leylandii trees	Withdrawn 26-11-1999
BR/272/01/T	Works to various trees	Approve Cond 12-10-2001
BR/277/07/T	Application to carry out surgery to Tree 1 Acer Pseudoplatanus (Sycamore) to reduce and thin canopy by approx 15%. Remove dead, diseased, damaged wood.	Withdrawn 27-09-2007
BR/84/08/T	20% overall crown reduction to one Sycamore tree.	Approve Cond 16-04-2008
BR/60/09/T	Surgery to one Ash Tree - reduce limbs that overhang neighbours garden by approx 20% and balance canopy accordingly, raise crown to 6m clearance	Refused 14-05-2009
BR/769/74/T	Felling of one sycamore	Refused 01-08-1975
BR/280/78/T	Lopping of 17 various trees	Approve Cond 31-05-1978
BR/760/81/T	Fell 1 evergreen oak top 1 sycamore 2 maple 2 ash lop 2 maple & 1 ash & remove dead wood from 2 birches	Approve Cond 02-12-1981
BR/214/84/T	Fell two macrocarpa trees to the rear of nos 28 & 32 Highland Avenue	Withdrawn 22-05-1984

REPRESENTATIONS

Representations received:

No Objection, subject to the approval of the ADC Arboriculturalist. It is recommended if approved, that no work should be carried out if any birds or bats are nesting.

Comments on Representations received:

Noted. The Council's Arboriculturalist has raised no objection to the proposed works. The applicant will be advised of the Wildlife and Countryside Act, via an Informative.

CONSULTATIONS

Tree Officer

Consultations responses received:

Council's Arboriculturalist

Inspected the site on 16th July 2010 and the tree which is a multi main stemmed and mature Sycamore.

The Sycamore grows between a 1m high car park wall, within a 1.5m width raised narrow strip

of land, adjacent to a larger 2.5m high brick wall that extends along the rear gardens of Highland Avenue. The tree has been subjected to a 6m crown-lift approximately 5 years ago, presumably to clear the large wall of low branches and eliminate access into the rear gardens from undesirables. As a result the tree appears 'top heavy' and the proposed 20% crown reduction should provide for a proportionate and balanced crown within the trees restricted growing environment.

Therefore recommend that the proposed tree work be accepted.

Comments on Consultation responses:

The Councils Arboriculturalists comments are noted.

POLICY CONTEXT

Designation applicable to site:
Within Built up Area Boundary
Class 'C' Road
Public Sewer on Site

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1 Delivering Sustainable Development

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

TREES

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 follows a previous application on the site for '20% overall crown reduction to one Sycamore Tree' (ref: BR/54/08/T), which was granted consent on 16th April 2008. These works were never carried out and the applicant is therefore re-applying for the same works.

The Sycamore Tree is sited on a raised grass bank in the car park area of Servite Close and to the rear of No. 32 Highland Avenue. The occupant of No. 32 Highland Avenue seeks to reduce

the overall size of the tree by 20% as the tree is currently blocking out natural sunlight from the rear garden area of this property.

The Council's Arboriculturalist has inspected the tree and has raised no objection to the proposed works. Indeed, he is of the view that the tree appears 'top heavy' and the proposed 20% crown reduction should provide for a proportionate and balanced crown within the trees restricted growing environment.

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 hereby approved shall involve overall crown reduction to a maximum of 20% to one Sycamore tree. 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 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

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consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.