TREE WORKS CONSENT REPORT

REF NO: **BR/252/11/T**

LOCATION: 5 Pinewood Gardens
Bognor Regis

PROPOSAL: Crown thin 2 No Austrian Pine trees by approximately 15%

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 144 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The subject of this application.
BOUNDARY TREATMENT	None to front, close boarded timber fencing 1.8-2 metres high on side and rear garden boundaries.
SITE CHARACTERISTICS	End of terrace, two storey modern dwelling constructed from red brick and white cladding.
CHARACTER OF LOCALITY	Predominantly residential comprising a cul-de-sac of modern, two storey terraced properties in an open-plan estate.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection, subject to the approval of 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:

Comments noted.

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

Arboriculturist: The tree consultant has identified that a climbing inspection is necessary for both Austrian pine trees located near to the applicant's property within the garage complex. The consultant recommends a crown thin by 15% to reduce the sail area. Both proposals are acceptable and I would suggest that the majority of the 15% crown thin consist of weak growth

and deadwood removal. If during/after the climbing inspection reveals a major structural defect and where evidence can be presented to the Council to show the tree(s) is/are in imminent danger of failure, then their removal would have to be considered.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
No public sewer
Tree Preservation Order
Within built-up area boundary

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 application seeks a crown thin of approximately 15% to 2No. Austrian Pines. The trees are covered by Tree Preservation Order AW/2/58 and Provisional Order AW/12/10 and are located to the rear of the property within a garage complex. The trees are a significant height and are clearly visible from the street frontage along Pinewood Gardens and Hawthorn Road. Owing to their height, the Austrian Pines are considered to have significant amenity value.

The proposed works are requested in order to reduce the wind resistance of the trees and the scale of the trees within the built-up area. The Council's Arborist is satisfied with the proposed crown thin of 15% to reduce the sail area. The Arborist recommends that the majority of the crown thin consists of weak growth and deadwood removal. No evidence has been presented to the

Council to indicate that the trees are in imminent danger of failure.

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 the crown thin of 15% to 2No. Austrian Pine Trees. 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 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 amendd) 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.