

TREE WORKS CONSENT REPORT

REF NO: BR/65/11/T

LOCATION: 2 Queens Square
Glamis Street
Bognor Regis

PROPOSAL: Crown reduction to 1 no Lime tree. 5.5m crown lift to 2 no. Sycamore trees and 2 no. Lime trees.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this application but various trees within and around the site.
BOUNDARY TREATMENT	Front has wooden ranch type entrance gates and pedestrian gate, side boundaries close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Two storey semi-detached property with pebbledash on upper level, white render on lower level, white window frames with a slate roof.
CHARACTER OF LOCALITY	Residential comprising terraced properties and semi-detached properties of various styles and designs.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

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

2 Letters of Objection

No objection to professional tree surgery but objection to the felling of any trees in Glamis Street. The trees are part of the old Hotham Estate and there are photographs at the turn of the century and the trees are evident in these photographs.

West Sussex Wildlife Group oppose the application as no felling unless dead or dangerous.

1 Letter of Support

The trees have not been controlled by the previous owner and the canopy from the trees has grown over my drive and parking area. The limbs are growing towards my property and I have the thankless task of clearing my driveway in the Autumn. A number of the trees also suffer from decay and in the wind branches fall onto my driveway posing a Health and Safety hazard also the residue from the Lime trees is very difficult to remove.

Comments on Representations received:

Bognor Regis Town Council comments noted

If approved, an informative will be added regarding the Wildlife and Countryside Act 1981 pertaining to nesting birds and disturbance to bats.

Support and Objection comments noted

As per the Council's Arboriculturist comments the application to fell the Lime tree has been amended to crown reduction.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's Arboriculturist

The application does not provide justification for the removal of T1 Lime. The tree is the smallest of the other four trees and appears to have been pollarded at a height of approximately 4m-5m at least 30 years ago. There is dense branch growth where some grow near to the building. It is recommended that this tree is crown reduced, allowing for 4m to be cut from the branch tips inwards towards the main stem. The severance of ivy at the tree base may help alleviate the shade nuisance and should be considered.

The other four trees appear mature and lack vigour where the majority of active crown growth appears to be around the periphery of the crown. There is little inner crown growth to prune back to. It is recommended that the other four trees T2, T3, T4 and T5 have minimal works. The works should consist of 5.5m crown lift, restricting the removal of branches with stem diameters to not exceed 100mm. There are telephone wires which pass through the crowns of the trees and branch growths should be pruned to provide a minimum distance of 1m, restricting the removal of branches with stem diameters to not exceed 100mm. There are some dead branches and stubs within the crown which should be removed as part of the above work.

Comments on Consultation responses:

Noted and agreed.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

No Public Sewer

Tree Preservation Order 2/02

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 trees are sited in the front garden of the property and are of a significant height and readily visible in the street scene and of public visual amenity.

The trees are subject of Tree Preservation Order 2/02 and the trees on the western boundary are overhanging the neighbouring driveway and building. There is no history on the site to indicate that surgery has been carried out on a regular basis to the trees. The application seeks to fell the Lime tree T1 which is sited to the front of the dwelling on the western boundary. The two Sycamore trees T2 & T3 and the Lime tree T4 which are part of a group are sited on the western side boundary and the surgery proposed is for a crown reduction by 25%. The Lime tree T5 is sited to the front boundary and this also seeks a crown reduction by 25%.

The Council's Arboriculturist has inspected the trees and has commented that there is no justification for the removal of the Lime tree T1. He has recommended that it be crown reduced allowing for 4m to be cut from the branch tips inwards towards the main stem. The Sycamore trees T2 & T3, Lime trees T4 & T5 he has recommended a 5.5m crown lift. The applicant has been notified and has agreed the proposed surgery.

It is therefore recommended to approve the application, 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.

- 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.

3 The works hereby approved shall involve:

T1 Lime - Crown reduction allowing for 4m to be cut from the branch tips inwards towards the main stem.

T2 & T3 Sycamore, T4 & T5 Lime - 5.5m crown lift, restricting the removal of branches with stem diameters to not exceed 100mm. Where telephone wires pass through the crowns, branch growths to be pruned to provide a minimum distance of 1m, restricting the removal of branches with stem diameters to not exceed 100mm. Dead branches and stubs to be removed within the crowns as part of the above work.

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.

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.