

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (TPO)

REF NO: FP/112/20/T

LOCATION: Bognor Regis Golf Club
Downview Road
Felpham
PO22 8JD

PROPOSAL: Reduce overhang of 1 No. Pine tree to 0m on eastern side over golf club boundary line. Reduce overhang of 1 No. Sycamore tree to 0m on eastern side over golf club boundary line. Reduce overhang of 1 No. Field Maples to 0m on eastern side over golf club boundary line.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
TREES	The tree is situated on the site of Bognor Regis Golf Club Downview Road.
SITE CHARACTERISTICS	Dwelling.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

FP/236/17/T	Reduce overhanging limbs by 3m to 1No. Sycamore tree. ApproveConditionally 05-12-17
-------------	--

FP/12/16/T	Fell 1 No. Ash tree	ApproveConditionally 07-03-16
------------	---------------------	----------------------------------

Relevant Planning history noted.

REPRESENTATIONS

No objections from Parish Council.

No representation from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

All trees subject of the application are recorded by the agent as being in good health and in need of management along the site boundary line.

The application and supporting statements and plan all refer to three pine trees rather than the one described in title above.

T38, T39, T43 Monterey pine

All three trees have endured past removal and reduction of numerous low limbs/large branches, presumably to accommodate residential development at Wellers Close to the east. Premature and rapid loss of so much crown volume places great stress on trees of such age class (T38 & T39 particularly). Several of the reduced limbs have now declined and support no foliage - they are dying if not already dead.

They carry a high percentage of dead branches throughout their crown. This is not obviously associated with any pathogen and typical of healthy examples of their type, which progressively shut down branches that become increasingly shaded-out as the tree grows larger. Nonetheless, they may be hazardous if allowed to persist.

- They are long-established, large and highly visible; appearing to be in general good health they are significant landscape trees.

Sycamore

- Located immediately south of T43 and to the north of a solitary Scots pine. A useful and well-established tree in the landscape; outwardly appears to be healthy although of asymmetric form - being slightly suppressed by the dominant pines. Boundary overhang is not excessive although some reduction pruning would probably make a positive difference to those resident's enjoyment of garden without affecting overall tree health and vitality.

2x Field maple

- Outwardly both trees appear to be in a fine physiological state. Of woodland fringe/hedgerow form and mostly obscured from public view. Nonetheless, they are important ecologically and for screening purposes. Low growth encroaching into gardens could be trimmed back as proposed without any loss of public amenity or harm to their ongoing health and vitality.

Conclusions:

T38, T39, T43 Monterey pine

- These trees require careful management that respects their age and vulnerability to environmental changes and disease progression as well as being mindful of their pruning history.

- The work proposed is unnecessarily severe and in places would result in damaging loss of leaf-bearing volume, leading to individual branch death, with potentially serious implications for the trees long-term health and vitality.

Sycamore

- The work proposed is tolerable and should not incur undue detriment to the visual amenities of the locality.

2x Field maple

- The work proposed is tolerable and should not incur undue detriment to the visual amenities of the locality.

Recommendations:

- As it stands, I recommend REFUSAL for this application.

Advisory:

- I would like to see the applicant submit a revised work specification, that removes items T38, T39 and T43 (Pine) from the proposal, so that only the sycamore and field maples are included.

- If the applicant is prepared to re-submit in line with this advice, then I would be able to recommend APPROVAL subject to the following condition:

Condition to Be Applied to All Approved Works: -

Part a) Where whole branches are to be removed and final cuts made close to the trunk or branch union

they are to be made as shown in Figure 2 of BS3998:2010

Part b) Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.

Reasons: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

- See also the standard pruning guidance notes issued with the consent letter

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Built up Area Boundary

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The above policies are general and, other than online Planning Policy Guidance under references ID 36-090-20140306 and ID 36-091-20140306, 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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

Following comments from the tree officer, it is recommended consent be refused subject to the following informatives.

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human

Rights.

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

REFUSE

- 1 The work proposed to the Pine is unnecessarily severe and in places would result in damaging loss of leaf-bearing volume, leading to individual branch death, with potentially serious implications for the trees long-term health and vitality.
- 2 **INFORMATIVE:** The reason for refusal relates only to the pine(s) - a resubmission for the other works in the application is likely to be acceptable.