FP/152/06/T

TREE WORKS TO TPO TREES REPORT

DESCRIPTION/ ADDRESS	-	Pollard 1 No. Holm Oak tree and remove branch of 1 No. Horse Chestnut tree. Gateway Lodge, Felpham 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	Several up to approximately 20m high including 1 no. Holm Oak and 1 no. Horse Chestnut that form the subject of this application.
BOUNDARY TREATMENT	Low flint and brick walling.
SITE CHARACTERISTICS	Two storey blocks of flats formed of red brick with a red plain tiled roof hipped and pitched at various heights.
CHARACTER OF LOCALITY	Main road through Felpham Village comprising a variety of two storey detached, semi-detached and terraced dwellings.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
FP/9/89/T	Various works, including shaping, lopping and pruning of 8 trees.	Approved Conditionally 20-02-1989
FP/187/90/T	Top one Horse Chestnut tree by the removal of one third of its height.	Refused 25-02-1991 Appeal Allowed 22-04-1992
FP/88/92/T	Remedial works to various trees.	Approved Conditionally 06-07-1992
FP/173/92/T	Fell one Horse Chestnut tree.	Approved Conditionally 12-02-1993
FP/1/95/T	Topping of 1 Sycamore tree.	Approved Conditionally 03-02-1995
FP/29/96/T	3 Bay trees – topped to previous cut and shaped. 1 Evergreen Oak – raise the crown to 4 mtrs and shape. 1 Sycamore – Reduce by 1/3rd and shape up. 1 Beech by flats 48 & 50 – Cut back two boughs on property side approx 1.2m	Approved Conditionally 29-03-1996

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RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	(4ft). 1 Beech, Grassmere Close – Lop all branches overhanging road to approx boundary wall.	
FP/149/01/T	Various tree surgery.	Approved Conditionally 31-08-02001
FP/76/03/T	Thin and reduce height of two Bay trees, reduce height to 1 metre to one Bay tree, raise crown and thin one Holm Oak and remove bough overhanging road to balance one Beech tree.	Approved Conditionally 10-06-2003
FP/184/03/T	Fell one Horse Chestnut and grind stump.	Withdrawn 10-10-2003
FP/204/05/T	Remove bole growth from two horse chestnut trees, remove branch overhanging roof from one sycamore tree, remove low branches over pavement and lightly shape two bay laurels, and reduce height of one bay laurel to 2 metres.	Approved Conditionally 28-10-2005

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Felpham Parish Council	~~Awaited~~ No objection.
Local Groups	None
Others	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Council Arboricultural Officer	No objection.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Tree Preservation Order 5/63 (A11 + A12)

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1
Arun District Local Plan : GEN7

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PLANNING POLICY GUIDANCE

PPS1 – Sustainable Development
Circular 36/78 DETR TPOs : A Guide to the Law & Good Practise

POLICY COMMENTARY

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

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

~~None~~ Noted.

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

CONCLUSIONS

This application comprises the pollarding of 1 no. Holm Oak tree and the removal of one branch of 1 no. Horse Chestnut tree. Both trees are protected under the TPO of 1963.

The Holm Oak is located at the front of the development on the main Felpham Road, and therefore contributes significantly to public visual amenity. However, it is not considered that the proposed works will adversely compromise the character of the area, and the Council's Arboriculturist considers the pollarding necessary for good horticultural purposes.

The Horse Chestnut tree is located along the southwest edge of the development, opposite the Old Stables on Grasmere Close. The branch that forms the subject of this application is overhanging the roof of No. 52 Gateway Lodge and it is considered that its removal is necessary to minimise damage to property and person.

It is not considered that either proposed works will detrimentally impact upon the visual amenity value of the street scene or the character of the area.

It is therefore recommended that the application be approved, subject to the conditions set out overleaf.

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Pollard 1 No. Holm Oak tree and remove branch of 1 No. Horse Chestnut tree

Gateway Lodge
Felpham 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 only the pollarding of 1 no. Holm Oak tree and the removal of one branch of 1 no. Horse Chestnut tree.

All works shall be carried out in accordance with BS 3998: 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 DEV1 of the West Sussex Structure Plan and policy GEN7 of the Arun District Local Plan.

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4 INFORMATIVE: The applicant should note that under part 1 of the Wildlife & 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 etc. during this period could lead to an offence under the Act.