

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

**REF NO:** FP/168/14/T

**LOCATION:** The Southdown  
133 Felpham Way  
Bognor Regis

**PROPOSAL:** Fell to near ground level 2 No failed Conifer stumps, fell 1 No Conifer hedge to near ground level, crown lift to 4m above ground level 4 No Hawthorn trees and remove stumps of 2 No Conifers including surface roots.

**SITE AND SURROUNDINGS**

|                                       |                                                                                                                                                    |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION            | As above                                                                                                                                           |
| SITE AREA                             | N/A                                                                                                                                                |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | N/A                                                                                                                                                |
| TOPOGRAPHY                            | Predominantly flat                                                                                                                                 |
| TREES                                 | The trees the subject of this application.                                                                                                         |
| BOUNDARY TREATMENT                    | Rear boundary has tree screening/hedging over 2m in height.                                                                                        |
| SITE CHARACTERISTICS                  | Two storey building with front entrance porch. Smoking shelter in garden. The walls are rendered with a brown tiled roof.                          |
| CHARACTER OF LOCALITY                 | Main road with residential comprising a mixture of detached single and two storey dwellings, retail outlet and recreation ground to south of site. |

**RELEVANT SITE HISTORY**

None

**REPRESENTATIONS**

**Representations received:**

Felpham Parish Council

No objection

Felpham Parish Council have no objection to this application. The Felpham Council's Tree Warden provided the following statement: I feel that these fellings are necessary, and will do no harm to the conservation of the area. Work to be carried out by skilled Tree Surgeon.

**Comments on Representations received:**

See Tree Officer recommendation.

**CONSULTATIONS**

Arboriculturist

**Consultations responses received:**

Tree Officer

Species: 7 x Leylandii Cuprocyparis leylandii Height: 3.5 meters Average Crown Spread: 2 meters Crown Condition: poor Form: poor Age Class: semi mature

Species: 4 x Hawthorn Crataegus spp Height (average): 6 meters Average Crown Spread (average): 2 meters Crown Condition (average): poor Form (average): poor Age Class (average): early mature

The outlined trees are all situated along the rear boundary of the Southdown pub. The wider landscape has a few medium/large (mainly broadleaf species) tree stock.

The conifer hedge is made up of 7 clear individuals (the true number of individuals may differ slightly, as the growth habit has made it difficult to distinguish between a few of the trees). This hedge line has clearly had some historical management to keep the hedge form, however it appears this has not been adhered to at some point as the lateral extension growth and large gaps appearing between the lateral branches would indicate that this hedge line did begin to revert back a tree form at some point.

The result of this lack of management is that the asthetical value has been greatly diminished and the function of this hedge as a 'screen' for the boundary line is now questionable. Further training via pruning would improve the current form of this tree line somewhat; however the chance to revert this line to a functional hedge line has been missed.

The application has also requested a 4 metre crown raise of a line of early mature Hawthorn trees spanning in a linear line along the northern boundary. These trees southern edge are also abutting the Public house car park. The proposed crown raise will be limited to this southern side and is clearly designed to allow full vehicular access to the car park below. From the site inspection it is clear that there has been previous crown lifts on the outlined hawthorns alleviate the problem of contact between vehicles and branches. This operation is likely to change the appearance of the outlined hawthorns; however it is unlikely to have a significant impact on the vitality/retention span of these trees. Also the atheistical value is unlikely to be altered by such an activity.

As for the failed conifer stumps, as they are confirmed to be dead they can felled without consent form the Local Authority. As these stems had no active TPO, there will not be a requirement to replant a tree in the same location.

As the outlined conifer hedge line has poor arboricultural merit, low retention span, and it is unlikely that any form of management would restore the habit to a hedge form; I would have no objection to the felling of this hedge line.

As for the crown lift of the Hawthorn line, this is remedial operation that will ensure no damage is caused to the hawthorn trees from interference with vehicles using the parking area. I would therefore have no objection to the 4 metre crown raise of the southern side of the outlined hawthorn trees.

I would also have no objection to the felling of the 2x dead conifer stems, as this would have no detrimental effect on the surrounding landscape and/or the atheistical value.

Crown Lift

Branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

**Comments on Consultation responses:**

Tree Officer comments noted and agreed.

**POLICY CONTEXT**

Designation applicable to site:

**DEVELOPMENT PLAN POLICIES**

Arun District Local Plan 2003:

**PLANNING POLICY 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 no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

**CONCLUSIONS**

The Hawthorn, Conifer trees and failed conifer stumps are sited along the rear eastern boundary adjacent to the seating and parking area. The trees are visible within the site but are not considered to be of significant public visual amenity.

The application seeks to remove the conifer hedge, crown lift the Hawthorn trees and remove the two dead conifer stems. It appears that the conifer hedge and stems are not covered by Tree Preservation Order 4/62. The conifer hedge has not been maintained on a regular basis and of poor arboricultural merit and not worthy of a Tree Preservation Order. The Hawthorn trees are abutting the car park and a 4m crown raise on the southern side will help alleviate any damage caused by vehicles using the car park.

The Tree Officer has inspected the trees and has raised no objection to the proposed works. He has also confirmed that the removal of the dead conifer stumps does not require consent from the Local Authority.

It is therefore recommended to approve the application subject to conditions.

**RECOMMENDATION**

**APPROVE CONDITIONALLY**

- 1 The works hereby approved shall involve:

Fell conifer hedge, 2 no. conifer stumps and 2 no. conifer stems.  
4m Crown raise to 4 no. Hawthorn trees on southern side.

**Crown Lift**

Branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

All works shall be carried out in accordance with BS3998:2010 Recommendations for Tree Work.

Reason: In the interests of the trees continued health and vitality and in the interests of amenity.

- 2 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.

- 3 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.

- 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.