TREE WORKS CONSENT REPORT

REF NO: FP/204/08/T

LOCATION: 2 Monterey Pines
The Grove
Felpham

PROPOSAL: Removal of major dead limbs to 1 no. Monteray Pine tree

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Monterey Pine tree the subject of this application.
BOUNDARY TREATMENT	Front boundary is open to the highway, rear and side boundaries mixture of close boarded fencing and shrubs.
SITE CHARACTERISTICS	Detached two storey property with integral double garage and paved driveway. The walls have red brickwork, white PVCu windows frames with a brown tiled roof.
CHARACTER OF LOCALITY	Residential cul-de-sac with detached properties of similar style and design. Immediate vicinity detached two storey and bungalows of various styles and designs.

RELEVANT SITE HISTORY

FP/145/02/T	Tree surgery to one Monterey Pine	Approve Cond 03-10-2002
FP/154/99/T	Removal of one lower limb & major dead wood on 4 Monterey Pines	Approve 03-12-1999

REPRESENTATIONS

Representations received:
Felpham Parish Council
Awaited.

Comments on Representations received:
None

Page 1 of 4
report

CONSULTATIONS

Horticulturist - Mr Everson

Consultations responses received:

I have visited the site on several occasions and am aware of these trees. The application for the removal of dead and dangerous limbs has been supported by a tree report. I have no objection to the removal of the limbs.

Comments on Consultation responses:

Noted and agreed.

POLICY CONTEXT

Within the Built Up Area Boundary
Tree Preservation Order 5/63

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1	Locational Strategy
	CH1	Character
	DEV1	High Quality Development
Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
	Circular 36/78
	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

There are three Monterey Pine trees in the rear garden along the eastern side boundary and although the trees are of a substantial height they are not readily visible from the front of the site in Monterey Pines but are visible to the properties to the rear in Ley Road. All three trees are covered by TPO/5/63 and this application seeks to carry out surgery to the Monterey Pine tree which is located in the middle of the three and has a thinner canopy than the other two.

The garden is relatively small and the tree has recently shed a large limb and the owners are concerned about the other limbs that appear to be in a dangerous condition. A report has been submitted with the application by a Tree Surgeon and he has confirmed that this is common with Monterey Pine trees as the inner canopy dies back and as a result dead limbs fall off. He has recommended that the tree be checked in a couple of years time as if there is upper canopy die back the tree may have structural problems.

The Council's Arboroculturist has visited the site on numerous occasions and is well aware of the trees and he has raised no objection to the removal of major dead limbs for the continued health of the tree.

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 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 the removal of major dead limbs to 1 Monterey Pine tree. 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 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.

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.