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

REF NO: **FP/223/13/T**

LOCATION: 6B Limmard Way
Bognor Regis

PROPOSAL: Reduce crown of 1 Holm Oak by 1.5 metres

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Holm Oak tree the subject of this application.
BOUNDARY TREATMENT	Front boundary has brick wall approximately 1.8m in height, rear boundary has brick wall approximately 1.8m in height, side boundaries close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Detached two storey property with integral garage, conservatory on rear tarmac driveway. Wooden shed ub rear garden. The property has red brickwork on lower level, cream painted render on upper level, white window frames with a brown tiled roof.
CHARACTER OF LOCALITY	Residential comprising detached properties of various styles and designs.

RELEVANT SITE HISTORY

FP/34/94/T	Fell 9 Pine, 3 Silver Birch, 3 Poplar, 1 Cherry, 1 Sorbus tree, prune & shape 1 Oak tree for good husbandary	ApproveConditionally 10-05-1994
FP/188/01/T	Reduce and shape mature Ash tree. Lightly reduce mature Oak tree. Fell one of the single stemmed Birch trees. Lightly prune the remaining Birch trees.	ApproveConditionally 09-11-2001
FP/153/10/T	Crown lift and reduce by 1m-2m 1 no. Holm Oak tree and 1 no. Silver Birch tree.	ApproveConditionally 22-09-2010

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection

There is no objection to this application. Tree Warden supports this notice.

Comments on Representations received:

None

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's Arboriculturist

Awaited

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

Tree Preservation Order 3/62

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 Holm Oak tree the subject of this application is sited to the front in the south west corner

adjacent to the boundary wall. It is of a significant height and spread being of public visual amenity.

A crown lift and reduction was previously approved under application FP/153/10/T. The application seeks for a crown reduction by 1.5m as the tree is overhanging the highway and neighbouring boundary.

In the absence of any arboricultural objection it is not considered that the surgery would duly impact upon the visual amenity provided by the tree.

It is therefore recommended to approve the application, subject to 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 innvolve the crown reduction of 1 No. Holm Oak tree by 1.5m.
All works shall be carried out in accordance with BS3998:2010 Recommendations for Tree Work.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity.

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.