

TREE WORKS CONSENT REPORT

REF NO: FP/237/10/T

LOCATION: Gateway Lodge
Felpham Road
Bognor Regis

PROPOSAL: Surgery to 1 Horse Chestnut, 1 Hornbeam, 1 Sycamore, 1 Holm Oak, 2 Bay Laurel, 1 Holly, 1 Alder and removal of 1 Conifer tree.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this application but various trees within and around the site.
BOUNDARY TREATMENT	Low flint and brick walling.
SITE CHARACTERISTICS	Flats and terraced properties, two and three storeys in height. The walls have reddish/brown brickwork, brown window frames with a brown tiled roof.
CHARACTER OF LOCALITY	Main road through Felpham Village comprising a variety of two storey detached, semi-detached and terraced dwellings.

RELEVANT SITE HISTORY

FP/9/89/T	Various works, including shaping , lopping, and pruning of 8 trees	Approve Cond 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	Approve Cond 06-07-1992
FP/173/92/T	Fell one Horse Chestnut tree	Approve Cond 12-02-1993

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FP/1/95/T	Topping of 1 Sycamore tree	Approve Cond 03-02-1995
FP/40/95/T		Refused 03-07-1995 Appeal: Decline Jurdictn 28 02 1996
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 (4ft). 1 Beech, Grassmere Close - Lop all branches overhanging road to approx boundary wall.	Approve Cond 29-03-1996
FP/149/01/T	Various tree surgery	Approve Cond 31-08-2001
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.	Approve Cond 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FP/184/03/T	Fell one Horse Chestnut and grind stump	Withdrawn 10-10-2003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	Approve Cond 28-10-2005
FP/152/06/T	Pollard 1 No. Holm Oak tree and remove branch of 1 No. Horse Chestnut tree	Approve Cond 11-08-2006
FP/43/08/T	Surgery to various trees.	Approve Cond 16-04-2008
BR/738/73/T	One tree to be felled	Approve Cond 02-10-1973
BR/213/77/T	Lop one branch from 2 Elm trees	Approve Cond 11-05-1977
BR/12/82/T	To lop 3 no Macrocarpa and thin out 2 no Scots Pine Trees	Withdrawn 21-01-1982

FP/183/86/T

Application to lop and top one beach tree and
one horse chestnut tree

Approve Cond
19-12-1986

REPRESENTATIONS

Representations received:

Felpham Parish Council

Support

The work should be carried out by a qualified Tree Surgeon.

Comments on Representations received:

Noted

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary
Class C Road
Tree Preservation Order
No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [GEN2](#) Built-up Area Boundary

PLANNING POLICY GUIDANCE

PPS1 Delivering Sustainable Development

SUPPLEMENTARY POLICY GUIDANCE

XXX1 Circular 36/78
XXX2 DETR TPO's A guide to Law and Good Practice

POLICY COMMENTARY

Other than Circular 36/78 and DETR TPO's a guide to Law and Good Practice, there are no development plan policies relevant to the consideration of this tree application.

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 trees are sited within the grounds of Gateway Lodge and are covered by Tree Preservation Order 5/63. The application seeks to carry out surgery to Horse Chestnut, Hornbeam, Sycamore, Holm Oak, two Bay Laurel, Holly, Alder trees and the removal of a of a Conifer tree.

The Bay Laurel and Holm Oak trees are sited to the front of the site and are readily visible in the street scene with the remaining trees sited within the grounds. Surgery to various trees within the site has been carried out on a regular basis the last application FP/43/08/T was approved on the 16th April 2008.

The Council's Arboriculturist has inspected the trees and has recommended surgery to each of the trees and the applicant has agreed this schedule of works. It is therefore recommended to approve the application, 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.

- 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 to the trees as annotated on the submitted site plan shall involve:

Horse Chestnut (B) Maximum of 1m reduction from north east side.

Hornbeam (D) Maximum of 1m reduction from north east side.

Sycamore (E) Removal of lower growth to the southern most stem to a height of 2.5m from the ground.

Holm Oak (F) Crown lift to a height not exceeding 2.5m from the ground.

Bay Laurel (G) Reduce by 1 metre to reshape and enhance tree.

Bay Laurel (H) Reduce and reshape to enhance tree.

Conifer (J) Remove.

Holly (K) Reduce and reshape.

Alder (M) Crown lift to a maximum of 2.5m.

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.

- 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.