

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (**REF NO:** FP/31/14/T**LOCATION:** 2a Blakes Road
Felpham**PROPOSAL:** Holm Oak - Reduce in height by a maximum of 1m. Reduce the lateral spread all round by 1m-1.5m maximum.**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 has low brick wall under 1m in height with paved driveway and raised flower beds.
SITE CHARACTERISTICS	Detached two storey property with porch and bay window. Paved driveway leading to detached hipped double garage. The property has red brickwork, flint with mock tudor detail, white smooth rendered walls on upper level.
CHARACTER OF LOCALITY	Residential area comprising detached properties predominantly two storey some with thatched roofs of various styles and designs.

RELEVANT SITE HISTORY

FP/185/88/T	Fell one evergreen Oak	Refused 08-08-1988
FP/46/98/T	Prune 1 Evergreen Oak tree	ApproveConditionally 01-06-1998
FP/85/01/T	The crown be reduced by 30% with a 10% reduction of the remainder of growth.	ApproveConditionally 28-06-2001
FP/9/05/T	Pollarding of 1no. Evergreen Oak tree.	ApproveConditionally 25-02-2005
FP/223/07/T	Prune back one Evergreen Oak tree.	Refused 12-11-2007

FP/83/09/T	Crown thinning 1x Holm Oak tree by no more than 25%	ApproveConditionally 05-08-2009
FP/25/11/T	Crown reduction to 1 No. Holm Oak tree.	ApproveConditionally 01-04-2011
BR/557/78/T	Lopping of 2 evergreen oaks	ApproveConditionally 23-08-1978

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection

Large Holm Oak in front garden requires lopping back to the original pollardings. Tree overhangs pavement and telephone wires. Tree is healthy so this is my recommendation. Work to be carried out by a qualified tree surgeon. The Planning Committee agree with the tree wardens view and have no objection to the application.

Comments on Representations received:

Parish Council comments noted.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Consultant Arboriculturist

Whilst the periodic lopping and topping of this Holm Oak tree has already become established practice I feel that 2m would be excessive in this instance and would be contrary to BS3998 and sound arboricultural practice having a detrimental impact on the visual amenity value of this tree. A lesser degree of lopping and topping with varying amounts of material being removed to achieve a balanced effect would be the best course of action here. I Object to the crown reduction by 2m for the reasons stated above and recommend refusal of these works. However, I would Approve them if the owner is prepared to amend the application to read as follows:-

Reduce in height by a maximum of 1m.

Reduce the lateral spread all round by 1m to 1.5m maximum.

The following condition should be applied:-

Where whole branches are to be removed final cuts close to the trunk or branch union are to be made as shown in Figure 2 of BS3998:2010 and all shortened branches are to be cut at the correct angle (see also BS3998:2010) and adjacent to a live bud or lateral.

Comments on Consultation responses:

Arborist comments noted and agreed.

The applicant has been consulted and is happy to accept the Arborist's recommendation.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Tree Preservation Order BR/5/63 G1

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 Holm Oak tree is sited to the front of the property in the south east corner and overhanging the driveway of the neighbouring property No 4 Blakes Road, public footway and interfering with telephone wires. The tree is of a significant height and spread and is readily visible in the street scene and of public visual amenity.

Surgery to the tree has been carried out on a regular basis the last application FP/25/11/T for a crown reduction was approved on the 1st April 2011. The Consultant Arboriculturist has inspected the tree and has raised an objection to a 2m reduction which he considers is excessive. He has advised that a lesser reduction in height of 1m maximum with the reduction of the lateral spread all round by 1m-1.5m maximum would be acceptable. The applicant has been consulted and has agreed to this recommendation.

In view of this the application is recommended for approval, subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby approved to the Holm Oak tree shall involve:
Reduce in height by a maximum of 1m.
Reduce the lateral spread all round by 1m to 1.5m maximum.

Where whole branches are to be removed final cuts close to the trunk or branch union are to be made as shown in Figure 2 of BS3998:2010 and all shortened branches are to be cut at the correct angle (see also BS3998:2010) and adjacent to a live bud or lateral.

Reason: In the interests of the trees continued health and vitality and to accord with

current industry guidelines and sound arboricultural practice.

- 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.