

Recommendation Report for Prior Notification of Work to Tree(s) in a Conservation Area

REF NO: FP/45/14/TC

LOCATION: The Old Cottage
10 Vicarage Lane
Bognor Regis

PROPOSAL: 1no Holm Oak tree - crown lift to 5 metres, removal of all hanging branches, crown thin by 20% & crown reduction all round by 2.5m - Within the Felpham Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The justification for these works is given as being that the tree is too large for the garden, causing intense shading of the garden, damage to the boundary wall and branches are overhanging onto Waterloo Court.

TOPOGRAPHY

Predominantly flat.

TREES

The Holm Oak Tree the subject of this application.

BOUNDARY TREATMENT

Flint wall approximately 2.5 high to both boundaries.

SITE CHARACTERISTICS

Two storey detached dwelling house with studio/workshop in the rear garden. The Holm Oak is adjacent to this studio.

CHARACTER OF LOCALITY

The site is located within the Felpham Conservation Area, in a predominantly residential road of properties of a traditional style.

RELEVANT SITE HISTORY

FP/65/91	Extension to form lounge, utility room, cloakroom and enlarged bedroom	ApproveConditionally 24-07-1991
FP/139/98/	2 Storey extension to provide new bathroom, study and enlarged bedroom	ApproveConditionally 07-01-1999
FP/227/01/	Two storey extension to provide new shower room, utility room, granny annexe and bedroom.	ApproveConditionally 21-02-2002

FP/97/04/TC	Felling of one Common Mulberry tree (within the Felpham Conservation Area)	No Objection 28-05-2004
FP/5/11/TC	Removal of 1 no. mature Mulberry tree adjacent to flint boundary wall (within the Felpham Conservation Area)	No Objection 16-02-2011
BR/108/66	Private dwelling	Refused 22-11-1966
BR/887/82	Demolition of existing utility room and wc construction of new bathroom ext dormer window to new bathroom	ApproveConditionally 29-12-1982

None.

REPRESENTATIONS

Representations received:

Felpham Parish Council

Felpham Parish Council - No objection. Felpham Parish Tree Warden Rohan Amick, provided the following report: "The tree is growing close to an old wall which borders a fairly busy road. Care must be taken regarding the wall when the tree is attended to. Work must be carried out by an experienced tree surgeon."

Comments on Representations received:

Comments noted.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Arboricultural Officer - "The boundary wall has been cracked by the effects of trunk expansion over time and the wall bows out towards the car park in Waterloo Court. This is a safety issue and will need to be repaired fairly soon. The wall will need to be removed and at this time the area immediately behind it can be assessed to see how best this might be achieved whilst retaining the tree and the new wall in harmony in future. This might typically involve reinforced lintels and leaving a gap for the trunk to expand into.

This tree is highly visible from some distance away and is a very fine specimen on high amenity value and given its age historic value in the Conservation Area. I could not detect a split in the trunk as the applicant claims but there is a self-contained and compartmentalised cavity which does not affect stability or compromise the safety of the tree. There has been some branch loss in storms over the years and jagged wounds will need tidying.

Crown lifting this tree to 5m is fine as is removing the hanging branches which grow down through this zone to provide good garden and wall clearances and increase light percolation below the canopy. Thinning by 20% would be a futile exercise as all of the live growth is on the ends of the branches so thinning would involve removal of 1 in 5 whole branches which would be damaging to the ongoing health and vitality of this tree. A 2.5m reduction will destroy this tree considerable amenity value and is not necessary as there are no safety issues which would merit such works - by nature this trees live growth is on the ends of branches and this operation would just leave a trunk and 'scaffold' framework with stumps and stubs and very little living

foliage thus temporarily destroying its amenity value. It is my opinion that the high visual amenity value of this historic tree in the Conservation Area is threatened by the proposed works and I would therefore recommend that a TPO should be made to prevent all but the crown lifting works and exercise control over the degree of any future pruning works that may be proposed.

Recommendations: I raise objection to the proposed pruning of this tree as notified and recommend it is TPO'd to protect it."

Conservation Area Advisory Committee - no comment.

Comments on Consultation responses:

Comments noted. A Tree Preservation Order has been served. The applicant would then be able to reapply for the crown lifting work which the Arboriculturist raises no objection to.

POLICY CONTEXT

Designations applicable to the site:

Within the Built Up Area;
Within the Felpham Village Conservation Area; and
Building/Structure of Character.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [AREA2](#) Conservation Areas

[Publication Version of the Local Plan -
Excluding the Spatial Portrait, Employment,
Housing Allocations, Transport, Monitoring and
Implementation sections \(February 2014\):](#) HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies are general and, other than online Planning Policy Guidance under References ID 36-090-20140306 and 36-091-20140306, are not specific to trees.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 211(1) of the Town and Country Planning Act 1990 states:-

"Subject to the provision of this section and Section 212, any person who, in relation to a tree to which this section applies, does any act which might by virtue of Section 198(3)(a) be prohibited by a Tree Preservation Order shall be guilty of an offence."

It is a defence to have provided notification to the Local Planning Authority 6 weeks in advance of any works. This is to enable the Local Planning Authority time to consider making a Tree Preservation Order.

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

This is a notification of the intention to perform various works to a Holm Oak Tree within the Felpham Conservation Area. The tree in question is a large specimen which is visible from both Vicarage Lane and from Waterloo Road. It is considered to have significant amenity value. The applicant's justification regarding the loss of light to the gardens and damage to the boundary wall are considered to be valid but the Council's Arboriculturist does not accept that these reasons are sufficient to require the amount of work proposed. Furthermore, the Arboriculturist considers that this tree is worthy of a Tree Preservation Order and that the works proposed will damage its significant amenity value.

Therefore, it is recommended that an objection be made for the following reason and that the tree be made the subject of a Tree Preservation Order.

RECOMMENDATION

OBJECTION

- 1 The proposed crown thinning and 2.5m reduction of this Holm Oak tree which is highly visible in the area, is a very fine specimen of high amenity value and given its age, has historic value in the Conservation Area, would be detrimental to the ongoing health & vitality of the tree and damage its amenity value.