

TREE WORKS CONSENT REPORT**REF NO:** FP/83/09/T**LOCATION:** 2A Blakes Road
Bognor Regis**PROPOSAL:** Crown thinning 1x Holm Oak tree by no more than 25%**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	The garden of the property is raised slightly from the street level and slopes gently upwards towards the property.
TREES	The tree the subject of this application.
BOUNDARY TREATMENT	Front has low brick wall under 1m in height with paved driveway and raised flower bed.
SITE CHARACTERISTICS	Detached two storey property with porch and bay window at front. Paved driveway leading to detached hipped double garage. The property has red brickwork, flint detail 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	Approve Cond 01-06-1998
FP/85/01/T	The crown be reduced by 30% with a 10% reduction of the remainder of growth.	Approve Cond 28-06-2001
FP/9/05/T	Pollarding of 1no. Evergreen Oak tree.	Approve Cond 25-02-2005

FP/223/07/T	Prune back one Evergreen Oak tree.	Refused 12-11-2007
BR/557/78/T	Lopping of 2 evergreen oaks	Approve Cond 23-08-1978

REPRESENTATIONS

Representations received:

Felpham Parish Council

Awaited.

Letter of support from neighbouring owner Mr Dudman at No 4 Blakes Road. The tree is overhanging our drive and public footpath and should be thinned.

West Sussex Wildlife Protection

Standard comments regarding the Wildlife and Countryside Act of 1981 and 1985.

Comments on Representations received:

Noted. An informative is to be placed on any decision regarding this Act.

CONSULTATIONS

Horticulturist

Consultations responses received:

I have visited the site and the tree has been worked upon some two years ago and it appears to be in good health and recovered from the previous work. After discussions with the owner and in view of the representations from the owner of the neighbouring property I agree that the tree can be thinned to a maximum of 25%.

Comments on Consultation responses:

Comments noted and agreed.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary
Tree Preservation Order BR/5/63 G31

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN28	Trees and Woodlands

PLANNING POLICY GUIDANCE

PPS1 Delivering Sustainable Development

SUPPLEMENTARY POLICY GUIDANCE

XXX1 Circular 36/78

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 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. The tree is of a significant height and is readily visible in the street scene and of public visual amenity.

The tree has been subject to previous applications for the reduction and pollarding and the applicant has requested crown thinning by 25% which, if approved, would allow more daylight to the front garden and the ground floor window of the property and alleviate concerns raised by the neighbouring property.

The Council's Arboriculturist has visited the site and the tree appears to be in a healthy condition and has agreed that the tree be thinned to a maximum of 25%.

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 policy 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 policy GEN7 of the Arun District Local Plan.

- 3 The works hereby approved shall involve the crown thinning to 1 Holm Oak tree to a maximum of 25%. 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 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 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.