

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

REF NO: LU/111/14/T

LOCATION: Sandfield House
Lyminster Road
Littlehampton

PROPOSAL: Sectional fell of 1 No Horse Chestnut tree

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The tree the subject of this application.
BOUNDARY TREATMENT	A detached dwelling to the rear with various trees, bushes and hedging to the east and west.
SITE CHARACTERISTICS	Detached three storey dwelling with smoothed rendered elevations and a grey slated roof. Gardens to the front, east and west.
CHARACTER OF LOCALITY	The area is a combination of residential and nurseries which are near to the level crossing. The residential properties are a mixture of detached, terraced and bungalows.

RELEVANT SITE HISTORY

LU/30/05/T	Surgery to various trees	ApproveConditionally 24-03-2005
LU/390/07/T	Fell to ground level one Chestnut tree.	Withdrawn 06-03-2008

REPRESENTATIONS

Representations received:

Littlehampton Town Council:-

None received.

Comments on Representations received:

N/A

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's Arboriculturalist:-

T2 Horse Chestnut Aesculus hippocastanum Height - 16m : Radial Crown Spread - 6m : Age - Mature

? Previously heavily topped out.

? There is a large cavity at ground level which extends down into the roots.

? The wood is soft and friable and undermines the safety of this tree.

? Given that it is positioned close to the road and a level crossing there is a very real risk to the public at large.

? Felling the tree is totally justified and should be undertaken at the earliest possible opportunity.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Tree Preservation Order LY/5/73
Outside Built up Area
Building of Special Character
No Public Sewer

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 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 Horse Chestnut tree is situated adjacent to the Lyminster Road and has significant visual amenity to the character of the street scene.

The Council's Arboriculturalist has inspected the tree and found that there is a large cavity at ground level which extends into the roots. The wood was also found to be soft and friable undermining the safety of this tree. Give the trees position close to the road and level crossing there is a serious risk to public safety should the tree fail. The Council's Arboriculturalist has stated that the proposed felling is totally justified and has advised that the works should be carried out at the earliest opportunity possible.

Therefore, the felling of the Horse Chestnut Tree is recommended for approval subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 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.

- 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 Informative: It is advised by the Council's Arboriculturalist that the Tree Surgeons undertake their own risk assessment before tackling the take down operation of this tree. In view of the levels of decay it is strongly suggested that this work is undertaken with the assistance of a Mobile Elevated Work Platform (Cherry Picker) as placing a man in the tree and tied to it represents too high a risk.

- 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.