

LU/18/09/T

TREE WORKS CONSENT REPORT**REF NO:** LU/18/09/T**LOCATION:** 116 Bluebell Drive
Littlehampton**PROPOSAL:** Crown lift one Eucalyptus tree.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 212 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	Other trees within the garden but not affected by the proposed works.
BOUNDARY TREATMENT	The rear garden is enclosed by wooden fencing approximately 1.8m high.
SITE CHARACTERISTICS	Detached 2 storey property. Yellow brick walls, with hanging tiles at first floor level. Pantiled gable roof.
CHARACTER OF LOCALITY	The site is within a residential area. Mix detached and semi detached newly built properties. Park opposite the site.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS**Representations received:**

Littlehampton Town Council

Refer to the Councils Arborist for a professional opinion.

Comments on Representations received:

Noted.

CONSULTATIONS

Horticulturist

Consultations responses received:

Council's Arborist: The tree as seen from the road has grown considerable and needs to be pruned. Application has been made to lift the crown and I have no problem with this and would even suggest that an overall reduction of 30% of the tree would also be appropriate.

Comments on Consultation responses:

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Comments noted

POLICY CONTEXT

Designation applicable to site:
Within Built-up Area Boundary
Tree Preservation Order TPO/LU/1/96

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1	Locational Strategy
	DEV1	High Quality Development
Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
	Circular 36/78
	DETR TPO's A guide to Law and Good Practice

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 Eucalyptus tree subject of this application is located within the rear garden of the property, close to the boundary with a neighbouring property to the north, No.106 Bluebell Drive. The tree is a prominent feature seen from the rear gardens of the surrounding property. It's prominence is enhanced due to it being larger than any other trees within close proximity. It is considered that the tree is of high amenity value and contributes to the appearance and character of the surrounding area.

Following consultation with the Council's Arboricultural Officer has confirmed that the tree needs to be pruned and that the proposed Crown Lift is appropriate for the tree.

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It is therefore recommended that this application be approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby approved shall involve the Crown Lift to one Eucalyptus tree.

All works shall be carried out in accordance with BS 3998: 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 DEV1 of the West Sussex Structure Plan and 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 policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 3 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 policies DEV1 of the West Sussex Structure Plan and 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.