

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

REF NO: LU/20/14/T

LOCATION: Winterton Lodge
Goda Road
Littlehampton

PROPOSAL: Reduce crown of 2 No Sycamore trees by 2 metres and reduce crown of 1 No Sycamore by 1.5 metres.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. Two Sycamore trees are situated in the rear garden of Winterton Lodge and one is located to the front which is adjacent to Goda Road.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The trees that form the subject of this application.
BOUNDARY TREATMENT	Flint walling, fencing, hedging and trees form the main boundary treatment.
SITE CHARACTERISTICS	A three storey building used as a nursing home. There is car parking to the front where a number of trees are located but the majority are situated to the rear in the private garden.
CHARACTER OF LOCALITY	Predominantly residential in character, there are few other trees in Goda Road or Fitzalan Road.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Awaited.

Comments on Representations received:

None

CONSULTATIONS

Council's Arboriculturist
Conservation Officer

Consultations responses received:

Council's arboriculturalist.
No objection.

Pruning must be in accordance with BS3998: 2010 Recommendations.

Conservation Area Advisory Committee
Comment. Refer to Council's arboriculturalist.

Comments on Consultation responses:

Comments noted. In answer to the comments made by the Council's arboriculturalist, a Condition is recommended to be placed on any permission to secure that the pruning works are made in accordance with relevant British Standards legislation.

POLICY CONTEXT

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

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 three Sycamore trees are situated to front and rear of Winterton Lodge nursing home. A single Sycamore tree to the front is prominent in Goda Road and the two trees of the same species in the rear garden still provide significant visual amenity value as they can be seen from Fitzalan Road. It is considered that the proposed works are not excessive to diminish or harm their visual amenity value.

The Council's arboriculturalist has raised no objection to the works. These are considered necessary for the longevity and safety of the trees.

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.

- 2 The works hereby approved shall involve reducing the crowns of 2No. Sycamore trees by 2m to the rear and reducing the crown of 1No. Sycamore tree by 1.5m to the front of Winterton Lodge. All works including pruning shall be carried out in accordance with BS3998: 2010 Recommendations for Tree Work.
- 3 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.
- 4 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.