

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

REF NO: M/39/14/T

LOCATION: 4 Alder Way
Bognor Regis

PROPOSAL: To cut back and trim lower branches of 1 No. Hazel tree to a maximum of 2m.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	The tree the subject of this application.
BOUNDARY TREATMENT	1.8m high close boarded fencing.
SITE CHARACTERISTICS	Two storey detached dwelling with detached double garage. .
CHARACTER OF LOCALITY	The site is located within a residential area consisting primarily of detached two storey dwellings of similar designs and styles.

RELEVANT SITE HISTORY

M/14/05/T	Surgery to 4 no. trees	ApproveConditionally 13-04-2005
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N/A

REPRESENTATIONS

Representations received:

Middleton Parish Council

No Objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

Council's Arboriculturalist:

Hazel (T4) *Corylus avellana* Height = 4.5m Avge Spread = 4m Age = Early Mature Grnd Clear
0m

- The pruning back of this tree is a reasonable request to provide clearances from the garage roof and shed.
- This will involve the side of the tree ONLY that faces the garage and shed and not the top or any reduction in height which is not justified.

Recommendation:

- I raise no objection to the pruning of this tree as described above.
- I recommend APPROVAL of these works.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

No Public Sewer
Adopted Loc Plan
Class B Road
Tree Pres Order
Archeology Int
PD Restriction

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 tree is clearly visible within the street scene when viewed from Alder Way and Yapton Road.

However, the proposed works to the tree is deemed to be reasonable by the Council's Arboriculturalist. The works will not result in a reduction in height of the tree with works only being carried out to the side of the tree which faces the garage.

Therefore, subject to the following conditions the proposed works are recommended for approval.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby approved shall involve the cutting back and trimming of lower branches of 1 No. Hazel tree to a maximum of 2m. Where whole branches are to be removed final cuts close to the trunk or branch union are to be made as shown in Figure 2 of BS3998:2010 and all branches which need to be shortened are to be cut at the correct angle and adjacent to a live bud or lateral as defined and illustrated in BS3998:2010.

Reason: In the interests of the trees continued health and vitality and to accord with current arboricultural industry guidelines and sound arboricultural practice.

- 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.

- 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.

- 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 amendd) 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.