

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

REF NO: **AW/318/14/T**

LOCATION: 3 Balmoral Close
 Bognor Regis

PROPOSAL: Fell 1 No Ash tree to just above ground level. 1 no. Lime tree - re-pollarding by removing limbs of no more than 12m to the established pruning points

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Ash & Lime tree the subject of this application.
BOUNDARY TREATMENT	Front is open to the highway
SITE CHARACTERISTICS	Detached bungalow with red brickwork, red tile hanging on upper level, concrete tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential comprising

RELEVANT SITE HISTORY

AW/102/96/T	Various works to one Ash and raise crown to one Lime tree	ApproveConditionally 10-10-1996
AW/268/04/T	Surgery to one Ash Tree and 1 Oak Tree. Fell one Lime Tree	Refused 10-12-2004

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection

Members agreed that the Arun Arboriculturist is consulted regarding the application and that his recommendation/decision is applied.

Comments on Representations received:

Parish Council comments noted

See Tree Officers recommendation

CONSULTATIONS

Arboriculturist

Consultations responses received:

Tree Officer

These trees are situated in the high amenity area of Aldwick. The surrounding landscape has a good mix established trees of varying age classes. The trees outlined in this application are standing in the rear garden of the outlined dwelling, and are therefore visible from the main highway (Balmoral close) outside. T1 actually standing just south of the onsite dwelling (3 Balmoral close), and T2 is abutting the southern boundary with 7 Lucerne court.

As stated on this application, T1 is covered by an active TPO. However T2 is not covered by an active TPO.

The applicant has stated the desire to re-pollard T1. This individual has evidently had previous pruning operations that have seen this tree pollarded at a height of 5 meters. Currently there is up to 11 meters of extensional regrowth from the established pollard points. This would indicate, as the tree submitted report has stated, that this large extensional regrowth is the result of a 'lapsed pruning regime' on T1. The submitted tree report has also identified the likely cause of a primary limb to 'break out'. The submitted tree report has put the likely cause of this loss down to wind throw. Considering the condition of the union (and the knowledge this limb failed in high winds, as stated by the resident when I visited the site), the conclusion reached in the submitted tree report is likely to be correct.

T2 - it is evident this individual is in a poor overall condition. This can be attributed in part, to the clear abiotic damage (which has exposed areas of heartwood) in the basal area and the subsequently degradation that has taken place. At this point, it is important to understand that Ash as a species is generally considered a bad compartmentaliser (this refers to a given individual's ability to partition a pathogen off from spreading to the rest of a given host). The submitted tree report has also cited the increased exposure experienced by T2 (due to the loss of a primary limb from T1). Also cited is the poor main union at 1 meter. Both these factors would increase the likelihood of a systemic failure occurring.

It would therefore be my recommendation that proposed operation of repollarding T1 by removing limbs of no more than 12 meters to the established pruning points should be allowed to take place, as the regime of pruning to the established pollard points is likely to increase the retention span of a given individual.

I would also have no objection that the proposed operation of felling T2, as its current condition and predicted lifespan does mean it is not suitable for a TPO order.

The following condition should be adhered to when completing the proposed pruning operation to T1;

Crown Reduction

All side branches to be retained should be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and should not exceed 100mm in diameter.

Comments on Consultation responses:

Tree Officer comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Tree Preservation Order
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 ID 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 application seeks to fell the Ash tree which is not old enough to be covered by Tree Preservation Order 2/58 and reduce the Lime tree which is the subject of a Tree Preservation Order.

The trees are sited in the rear garden the Lime tree being sited nearest the property and the Ash tree on the southern boundary with 7 Lucerne Court. The application seeks to reduce the Lime tree which has previously been pollarded at a height of 5m. The tree which now has 11m of extensional regrowth from the established pollard points suggests that the regrowth is a result of a lapsed pruning regime. The Tree officer has recommended that the proposed operation of repollarding by removing limbs of no more than 12m to the established pruning points should be allowed.

The Ash tree is in poor condition and not suitable for a Tree Preservation Order so he has raised no objection to the felling.

It is therefore recommended to approve the application, subject to conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works hereby approved shall involve:

Ash tree - Fell.

Lime tree - Re-pollarding by removing limbs of no more than 12m to the established pruning points.

Crown Reduction

All side branches to be retained should be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and should not exceed 100mm in diameter.

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

- 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 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.

- 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.