

Recommendation Report for Prior Notification of Work to Tree(s) in a Conservation Area

REF NO: BE/93/15/TC

LOCATION: Shripney Manor
Shripney Lane
Bognor Regis

PROPOSAL: Fell 2 No. Leyland cypress trees, fell 1 No. Leyland cypress hedge & remove re-growth from lower branch stub of 1 No. Holm Oak tree.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	The site is within a conservation area but no trees are currently subject to tree preservation orders. There is substantial cover of trees in the area both on the western and southern boundaries of the new housing development at Old Moat Close with Shripney Manor.
BOUNDARY TREATMENT	A 2 metre high wooden panel trellis and fence has been constructed along the western and southern boundaries of the new housing development at Old Moat Close. A line of trees runs along the boundary fence on the Shripney Manor side overhanging into the properties at Old Moat Close including leylandii hedge bushes which have grown into trees and other deciduous trees including an ash tree.
SITE CHARACTERISTICS	On the western boundary with Old Moat Close a line of trees and overgrown leylandii trees exists just behind a 3 metre deep garden flower beds in the main garden of Shripney Manor. On the southern boundary of the properties on Old Moat Close, next to the driveway to Shripney Manor, a belt of deciduous trees approx. 10 metres in width exists with a line of overgrown leylandii on the boundary of the gardens at Old Moat Close.
CHARACTER OF LOCALITY	The site is located within a designated Conservation Area and consists of a Grade II listed manor building and gardens with a modern housing development of 'executive'

detached properties built within the former grounds to the west. The area is residential in character adjacent to the open countryside at the edge of the village of Shripney.

RELEVANT SITE HISTORY

BE/9/05/TC - Lop one large evergreen tree within the Shripney Conservation Area.- Grounds of Shripney Manor adjacent to Saxon Lodge Old Moat Close Bersted. - No objection

BE/57/05/TC - Surgery to Willow trees (within the Shripney Conservation Area).- Land at Shripney Manor Adj. Scrippan House Old Moat Close/Shripney Lane Bersted - No objection

BE/47/11/TC - Fell 1 Holm Oak tree (within the Shripney Conservation Area)- Shripney Manor Shripney Road Bognor Regis PO22 9NU - No objection

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Arboriculturist

Conservation Officer

Consultations responses received:

·The trees that have been highlighted in this application are situated in the garden of Shripney Manor, Shripney Lane.

·All trees cited in this application are not covered by active TPO's, however they are standing in a conservation area.

·From the site inspection it is clear that both T1 and T2, are both in poor condition, and are likely to have limited retention spans. This does mean that these trees were not suitable for TPO orders.

·For T3, the applicant has applied to remove a low branch stub spanning towards Saxon lodge. The removal of said branch/stub is unlikely to have a negative impact on the aesthetic value and/or the Vitality of T3.

·From the site inspection it is clear that H4 is in poor condition, and is likely to have limited retention span. This does mean that these trees were not suitable for TPO orders.

·For T5, the applicant has requested to remove the regrowth from a major wound (most likely suffered in the '87 storm). From the visual inspection it is clear there is major wounding present where the regrowth is developing from. Failure to address this regrowth is highly likely to lead to failures occurring.

NOTE - This tree (T5) does not form part of the application as details of it were submitted after

report

validation and the expiry of the advertisement period.

Recommendation

·As the cited trees are not suitable for TPO orders and/or the proposed operations are unlikely to have a negative impact on the highlighted trees, I would have no objection to the proposed operations.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

ADOPTED LOC PLN
CLASS C ROAD
OUTS BUILT AREA
1 SPEC CONT ADVTS
LB GRADE II
NO PUBLIC SEWER
CONS AREA

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice 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 211(1) of the Town and Country Planning Act 1990 states:-

'Subject to the provision of this section and Section 212, any person who, in relation to a tree to which this section applies, does any act which might by virtue of Section 198(3)(a) be prohibited by a Tree Preservation Order shall be guilty of an offence.'

It is a defence to have provided notification to the Local Planning Authority 6 weeks in advance of any works. This is to enable the Local Planning Authority time to consider making a Tree Preservation Order.

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 Council's Tree Officer has assessed the trees T1, T2 and H3 were found them to have poor

form and to be in poor condition and as such the trees are not worthy of protection by a TPO. The proposed works to T4 are to remove a low branch stub spanning toward a residential property which was not considered to be harmful to the vitality of the tree or its amenity value and no TPO was proposed on that tree.

Therefore, in accordance with the comments of the Council's Tree Officer it is recommended that no objection is raised in relation to the proposed works.

RECOMMENDATION

NO OBJECTION

- 1 **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.
- 2 **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.