

[REDACTED]

From: Nicola Moore on behalf of Planning.Responses
Sent: 26 July 2019 09:12
To: Planning Scanning
Subject: FW: BN/42/19/T
Attachments: BN.42.19.T.docx

[REDACTED]

Nicky Moore | Technical Support Assistant, Planning Department, Arun District Council | Location: First floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF

[REDACTED]

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From: Mark Warwick
Sent: 25 July 2019 15:32
To: Zac Denton [REDACTED]
Cc: Planning.Responses <[REDACTED]>
Subject: BN/42/19/T

Zac

Please find attached my comments/observations for your consideration.

Regards,

Mark

Mark Warwick | Tree Officer, Greenspace, Arun District Council | Location: Bognor Regis Town Hall, Clarence Road, Bognor Regis, West
Sussex, PO21 1LD

[REDACTED]

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Planning Officer: Mr Z Denton

Planning Application Ref: BN/42/19/T

Location: 96 Barnham Road, Barnham, PO22 0EW

Description of works: Crown reduction by 10m to 4no. lime trees

Reasons Given: Health and safety (structural defect/decay)

Comments on Application:

4x lime / *Tilia* sp. Average height: 15-20m Average spread: 0-5m Age class: Mature

- This tight cluster of stems (4x lime) present as being a single tree multi-stemmed from the base, although I could not determine that due to the density of basal growth/surrounding vegetation. The Tree Preservation Order describes four lime trees within the front boundary group (G1), which it is assumed relate to this stem cluster.
- Outwardly and from a distance the group canopy suggests they are generally in a fair physiological state, although one stem when viewed from the garden shows signs of upper crown dieback – possibly associated with a root/stem base disease.
- These are large, prominent roadside trees, which are clearly visible to public highway users (footway and carriageway) and from surrounding properties. As such, they have public amenity value. Their high canopy contributes to the visually attractive tree-lined character of the road.
- The photographic evidence submitted in support of the application suggests there could be a significant problem with the structural integrity of the tree(s). Unfortunately, this has neither been established by a tree specialist (Arboricultural Consultant or experienced/qualified Arborist) nor clearly visible at the time of my own site visit.
- We have not been made aware of any detailed investigation of this tree and no evidence or report from a suitably qualified and experienced person has been submitted in support of this application. This is a requirement of the normal application process, as detailed in sect.8 of the Tree Work Application form.

For works to trees covered by a TPO

Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application must be accompanied by the necessary evidence to support your proposals. (See guidance notes for further details)

1. **Condition of the tree(s)** - e.g. it is diseased or you have fears that it might break or fall:

If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

☐ Yes

☐ No

- My ground level, non-invasive and severely restricted visual assessment of the tree revealed an area of decay exposed following recent stem failure is a genuine concern and worthy of prompt investigation.

Conclusions:

- The proposal to reduce both the height and lateral spread on all aspects (the correct interpretation of *crown reduction*) by 10m respectively is only achievable in part and does not comply with 'British Standard (BS3998:2010) Tree work – Recommendations'. It would be likely to result in harm to the health and vitality of the tree with large pruning wounds being formed as well as undermining its visual amenity value and impact in the landscape. That said, it may prove to be necessary to undertake drastic pruning (or stem removal) to mitigate a risk of catastrophic failure.
- The applicant has not submitted any written arboricultural advice or technical evidence from an appropriate expert in support of the reasons given for the proposed works.

Recommendations:

- I recommend **REFUSAL** for this application.

Advisory:

- The applicant should employ the services of a tree specialist to carry out a close visual inspection of the trees. A report should be submitted as part of a new application, to justify the proposed work.
- Should a close inspection identify the tree(s) as posing an immediate threat of serious harm to persons or property, then action can be taken under exception from the normal application process. **Please read the following notes carefully:**

What is the exception for work on dangerous trees and branches?

Where a tree presents an immediate risk of serious harm and work is urgently needed to remove that risk, tree owners or their agents must give written notice to the authority as soon as practicable after that work becomes necessary. Work should only be carried out to the extent that it is necessary to remove the risk.

In deciding whether work to a tree or branch is urgently necessary because it presents an immediate risk of serious harm, the Secretary of State's view is that there must be a present serious safety risk. This need not be limited to that brought about by disease or damage to the tree. It is sufficient to find that, by virtue of the state of a tree, its size, its position and such effect as any of those factors have, the tree presents an immediate risk of serious harm that must be dealt with urgently. One consideration would be to look at what is likely to happen, such as injury to a passing pedestrian.

If the danger is not immediate the tree does not come within the meaning of the exception.

Where a tree is not covered by the woodland classification and is cut down because there is an urgent necessity to remove an immediate risk of serious harm, the landowner has a duty to plant a replacement tree of an appropriate size and species.

Paragraph: 080 Reference ID: 36-080-20140306

Revision date: 06 03 2014

Source: <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#dangerous-trees-and-branches>

Mark Warwick
Tree Officer / Parks and Greenspace Team