

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (**REF NO:** BR/171/15/T**LOCATION:** Chipley Court
Hawthorn Road
Bognor Regis**PROPOSAL:** Reduce eastern lateral branches to 1No. Beech tree & 1No. Austrian Pine tree to provide a 3m buffer away from Chipley Court.**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

This application has been submitted by the Councils Greenspace service. It proposes to reduce eastern lateral branches to the 1 Beech tree and 1 Austrian Pine tree to provide a 3m buffer away from Chipley Court.

SITE AREA

Approximately 0.24 hectares.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The site boundaries to the side and rear are wooden panel fencing. To the front there is a low brick wall.

SITE CHARACTERISTICS

This large site is occupied by an 'L' shaped development of three storey apartments. These are set in mature landscaped grounds and there are a number of substantial trees, including the application trees, within the site.

CHARACTER OF LOCALITY

The general character of the area is predominantly residential.

RELEVANT SITE HISTORY

BR/354/04/T	Removal of branches from two Pinus Radiata trees, overhanging 4 & 5 Woodend	ApproveConditionally 22-12-2004
BR/301/11/T	1 No Beech tree to be reduced by 3-4m from the North East to remove overhang and shade	ApproveConditionally 02-02-2012
BR/272/12/T	Remove one branch from 1 No Monterey Pine tree which is overhanging driveway	Refused 10-12-2012 <i>Appealed</i> Appeal: Decline Jurdctn

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BR/313/12/T	Reduce most easterly limb of 1no. Corsican Pine by 4 metres from the tip. Reduce back the overhanging branches from driveway by 1-2 metres & remove any deadwood	ApproveConditionally 08-02-2013
BR/82/13/T	Remove 2 No branches on the west side of the crown to 1 No Monterey Pine tree	Refused 09-05-2013 <i>Appealed</i> Appeal: Dismissed 06 08 2013
BR/1045/80/T	To prune 16 trees	ApproveConditionally 18-02-1981

The trees at the site have clearly been the subject of a maintenance regimen over time.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

Bognor Regis Town Council raises no objection subject to the approval of the ADC Arboriculturist. It is recommended, if approved, that no work should be carried out if any birds or bats are nesting.

No representations have been received from surrounding occupiers.

Comments on Representations received:

Noted.

CONSULTATIONS

Arboriculturist

Consultations responses received:

The Councils Tree Officer raises no objection and has commented:

T1 Species: Beech Fagus spp Height: 16 meters Average Branch Spread: 5 meters Crown Condition: good Form: fair to good Age Class: mature

T2 Species: Pine Pinus spp Height: 21 meters Average Branch Spread: 9 meters Crown Condition: fair to good Form: fair to good Age Class: mature

Comments:

- The trees outlined in this application are located to the west of Chipley Court. Both trees cited in this application are subject to active TPO orders.

- From the site inspection it is clear that the proposed works are designed to prevent interference with the eastern extremities of T1 - T2 and Chipley Court.

- Also from the site inspection it is evident that the proposed lateral reductions are unlikely to have a negative impact on the longevity and or the aesthetic value offered.

Recommendation:

- I would have no objection to the proposed operation to create a buffer zone of no more than a 3 meters between the extremities of T1 and T2 and onsite block of flats.

The following conditions must be adhered to when completing the proposed operations:

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.

Crown Clean

The Crown Clean should consist of deadwood and stub removal where all cuts should be made to the branch collar. Where crossing branches are encountered the weaker branch/branches should be reduced or removed to avoid contact between them. The remaining branch/branches should be shortened as appropriate to relieve 'end weight' and sudden exposure by reducing the leaf bearing branch tips by no more than 30%.

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

Crown Lift

Branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

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

Comments on Consultation responses:

The recommended conditions will be imposed on any consent granted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

Other than online Planning Policy Guidance under references ID 36-090-20140306 and ID 36-091-20140306, are not specific policies relating 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 trees are located within the garden/grounds area of this development and they are of a size and maturity such that they are visible from the street and surrounding area. They have significant amenity value.

The trees contribute to the general character of the area and amenity in general, in addition they contribute to the amenity of surrounding occupiers. Any works carried out to the trees must be carried out for the purpose of good husbandry and this is the case in this instance. The trees will remain significant and continue to make a significant contribution to amenity.

It is therefore recommended that the application be approved, subject to the following conditions and informatives.

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 Crown Clean must consist of deadwood and stub removal where all cuts must be made to the branch collar. Where crossing branches are encountered the weaker branch/branches must be reduced or removed to avoid contact between them. The remaining branch/branches must be shortened as appropriate to relieve 'end weight' and sudden exposure by reducing the leaf bearing branch tips by no more than 30%.

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

- 3 During Crown Reduction, all side branches to be retained must 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 must 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.

- 4 During Crown Lift, branches found within the clearance height having diameters greater than 100mm must be shortened and no more than 15% of the leaf bearing growth of that branch must be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

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

- 5 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.

- 6 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.

- 7 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.