Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Tree Preservation) (England) Regulations 2012

Application for Works to Tree(s) on trees subject to a Tree Preservation Order (TPO)

DECISION NOTICE

Application Ref: BR/18/24/T

1 **To Addressee**

BM Tree Surgery & Landscapes
8 Greystone Aveune
North Bersted
PO215EA

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2 **Site Address**

97 Nyewood Lane
Bognor Regis
PO21 2TY

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3 **Description of Development**

Reduce back to previous knuckles 1 No Holm Oak tree (T1) which is a reduction by 3-4m over the complete canopy leaving the height of 12m in height & 8m in width.

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4 In pursuance of their powers under this Act and these Regulations the Council **GRANT** consent for the operations to be carried out in accordance with the application and plan and subject to the conditions specified.

The Council certify that they are satisfied that the conditions specified are in the interests of good forestry or in the case of trees other than those comprised in woodlands, that the trees have an outstanding or special amenity value.

1 Where whole branches are to be removed and final cuts made close to the trunk or branch union, they shall be made as shown in Figure 2 of BS3998:2010.

Where branches are to be shortened back, the final cuts shall be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.

Where crown reduction work has occurred previously, the removal of subsequent growth (shoots and branches) and position of final cuts shall ensure retention of all established knuckles.

Reasons: In the interest of the tree's continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

INFORMATIVE: Although they may respond with vigour, holm oak has a poor tolerance of hard pruning and long-term vitality can be severely affected. The optimum time for pruning a holm oak is mid to late winter.

INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), 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.

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 0345 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.



Neil Crowther
Group Head of Planning

Case Officer:	Hebe Smith	Arun District Council The Arun Civic Centre
Decision Issued:	18th March 2024	Maltravers Road Littlehampton West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO APPLICATIONS TO CARRY OUT WORKS TO TREES

Appeals under Regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012

If you are aggrieved by the local planning authority's decision to refuse consent, you can appeal to the Secretary of State within 28 days of the date of this notice.

Your appeal should be made on the relevant TPO (consents) appeal form obtained from the planning inspectorate. You can find the form and advice about making an appeal at https://www.gov.uk/appeal-decision-about-tree-order

You may also obtain a form by telephoning or writing to The Planning Inspectorate, Environment Team, Room 2/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or you can e-mail: environment.appeals@pins.gsi.gov.uk

COMPENSATION

If you suffer loss or damage which is caused or incurred in consequence of this refusal of consent, you are entitled to recover from the Council compensation in respect of such loss or damage. If you wish to make a claim you must do so within 12 months from the date of this decision (or, if you appeal to the First Secretary of State, within 12 months from the date of his decision). Claims should be submitted in writing to the Group Head of Planning, Arun District Council, Maltravers Road, Littlehampton, West Sussex, BN17 5LF.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).