

Recommendation Report for Prior Notification of Work to Tree(s) in a Conservation Area**REF NO:** BR/193/15/TC**LOCATION:** Spencer Terrace
45-47 Upper Bognor Road
Bognor Regis**PROPOSAL:** Reduce 1 No. Sycamore tree to previous pruning points (3-4m) within the Upper Bognor Road & Mead Lane Conservation Area.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE AREA	1112m ²
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	As above
BOUNDARY TREATMENT	1.5m flint wall to west boundary at front of flats. To front boundary a 0.5m dwarf wall with 1.8m hedge behind.
SITE CHARACTERISTICS	Three storey listed block of flats with basement accommodation also, communal car parking to front.
CHARACTER OF LOCALITY	3 storey listed buildings and some two storey dwellings, set back from the road.

RELEVANT SITE HISTORY

BR/237/00/TC	Fell one trunk and prune remaining branches of one multi-trunked Sycamore Tree within the Upper Bognor Road Conservation Area.	No Objection 03-11-2000
BR/216/11/TC	Crown reduction by 25% to one Sycamore within the Bognor Regis (Upper Bognor Road and Mead Lane) Conservation Area.	No Objection 22-09-2011
BR/86/14/TC	Reduce 1 No Sycamore tree by 2.5 metres to previous pruning points within the Upper Bognor Road and Mead Lane Conservation Area.	No Objection 19-05-2014

Various works have been carried out to this tree previously and all raised no objection at application stage.

REPRESENTATIONS

Representations received:

No response received.

Comments on Representations received:

N/A

CONSULTATIONS

Arboriculturist

Conservation Officer

Consultations responses received:

CAAC- No objection.

CONSERVATION OFFICER- No response.

ARBORIST

Comments:

- The tree cited in this application is located in the front car park outside Spencer Terrace.
- From the site inspection it is clear that T1 has had historic reductions. The applicant has requested to prune back to the established pruning points.
- From the site inspection it is evident that T1 has now developed up to 3.5 meter regrowth from the established pruning points. The applicants request to reduce by up to 3.5 meters is clearly designed to remove the regrowth.

Recommendation:

- I would have no objection to the removal of no more than 3.5 meters to the established pruning points only.
- The following conditions must be adhered to when completing the proposed operation;

Conditions:

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.

Comments on Consultation responses:

Comments noted. Conditions can not be attached to this application as it is not a Tree covered by a TPO. However, they can be attached as informatives.

POLICY CONTEXT

Classifications:-

Adopted Local Plan
Class A Road
Listed Building Grade II
Conservation Area
No Public Sewer
PD Restriction

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 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 Arborist has been consulted on the application and has no objections to the works are the same historic reductions and are to remove re-growth.

Conditions have been recommended but these will be included as informatives as we have no power to add conditions for a tree that is not covered for a TPO.

The proposal is not considered to result in harm to health of the tree and will preserve the appearance of the visual amenity of the street scene.

No objection.

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.

3 **INFORMATIVE:** 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.

4 **INFORMATIVE:** 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%.

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