

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

REF NO: BR/24/15/TC

LOCATION: University of Chichester
Upper Bognor Road
Bognor Regis
PO21 1HR

PROPOSAL: Cut back limbs of 1 No. Oak tree on south side of canteen side by 4-5m & reduce height of shrub hedge, containing Laurel, Holly & Elaeagnus, to 3m within the Upper Bognor Road & Mead Lane Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	The trees the subject of this application.
BOUNDARY TREATMENT	Various.
SITE CHARACTERISTICS	The trees are located within the grounds of the University of Chichester.
CHARACTER OF LOCALITY	University with buildings of various styles and designs.
None.	

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

No comments received.

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATIONS

Arboriculturist
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Council's Tree Officer:-

Comments:

- These trees are situated in the high amenity area of Bognor Regis. The surrounding landscape has a good mix established trees of varying age classes. The trees/shrubs outlined in this application are standing in a wooded corpse south of the university's campus.
- As stated on this application, the trees raised in this application are not subject to a TPO order/s. This report will test the suitability for a TPO order/s.
- Starting with T1, this is a good specimen which has a good potential retention span. This individual also has a good open from, with a healthy crown density. There is evidence to suggest the northern flank of T1 has had a historic reduction/s, which would have been similar to the requested reduction. It is also clear that the extremities of the northern lateral spread are starting to interfere with the abutting buildings.
- For G2, this linear belt is in good to fair condition. The proposed reduction is unlikely have a lasting detrimental effect on G2's longevity.

Recommendation:

- For T1, as the proposed operation is unlikely to have a negative effect on the longevity of this tree, (as the proposed operation emulates previous operations) I therefore have no objection to the cited operation.
- For G2, the proposed operation is unlikely to have a negative effect on the longevity of this linear belt. I therefore have no objection to the cited operation.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designations Applicable to Site:-

Adopted Local Plan

Class A Road

LB Grade I

LB GRADE II

Set LB I or II*

Conservation Area

Tree Preservation Order

PD Restriction

DEVELOPMENT PLAN POLICIES

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 trees have been inspected by the Council's Tree Officer who has not identified any potential harm to the trees through the proposed works. Therefore, in accordance with the Council's Tree Officers report 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.