

Recommendation Report for Works to Tree(s) on trees subject to a Tree Preservation Order (

REF NO: BR/255/13/T

LOCATION: 25 Nelson Road
Bognor Regis

PROPOSAL: Reduce 1 No Oak tree by 2 metres due to growth nearing the property and removal of lower epicormic growth

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Oak tree the subject of this application.
BOUNDARY TREATMENT	The front boundary is open, east and west side boundaries close boarded fencing ranging from 1m-1.8m in height.
SITE CHARACTERISTICS	Detached two storey property divided into flats, bay window on ground floor. Detached garage complex and paved area on western side. The property has rendered walls painted cream, hipped tiled roof with white window frames.
CHARACTER OF LOCALITY	Residential comprising detached two storey, chalet bungalows and bungalows of various styles and designs.

RELEVANT SITE HISTORY

BR/121/06/T	Raise the crown by 4 metres in height, thin the main crown by 25% & reduce the remainder of the crown by 30% of 1 no. Oak tree, and felling of 1 no. Poplar tree.	ApproveConditionally 19-06-2006
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REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection

Subject to the approval of the Arboricultural Officer at ADC. It is recommended, if approved, that no work should be carried out if any birds or bats are nesting.

Comments on Representations received:

Comments noted

If approved, an informative will be placed on any decision relating to nesting birds and bats.

CONSULTATIONS

Council's Arboriculturist

Consultations responses received:

Council's Arboriculturist

The English Oak is located to the front of the property near to the highway. It grows within the confines of a restricted space. Therefore reducing its crown size, and raising the epicormic height according to the bounds of its location is acceptable.

Restriction of wound sizes to be less than 50mm will reduce the healing time and potential for stem bacterial/fungal infection and is recommended.

Comments on Consultation responses:

Arboriculturist's comments noted and agreed.

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Tree Preservation Order 2/58 A.10

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

XXX1

Circular 36/78

XXX2

DETR TPO's A guide to Law and Good Practice

POLICY COMMENTARY

The above policies are general and, other than Circular 36/78 and DETR TPOs, are not specific 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 Oak tree is sited in the front garden adjacent to the public walkway and is a prominent feature in the street scene being of significant public visual amenity.

The application seeks to reduce the tree by 2m as it is overhanging the property. Surgery to the tree was previously approved under BR/121/06/T for a crown thin and reduction. It is considered that the surgery is appropriate to retain its shape and enhance its appearance and would not detract from the amenity value of the tree.

The Council's Arboriculturist has inspected the tree and has raised no objection to the reduction but has advised that restriction of wound sizes to be less than 50mm would reduce the healing time and potential for stem bacterial/fungal infection.

It is therefore recommended to approve the application, subject to conditions.

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 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.

- 3 The works hereby approved shall involve:
Reduce Oak tree by 2m and removal of epicormic growth. Reduction of wound sizes to be less than 50mm which will reduce the healing time and potential for stem bacterial/fungal infection.
All works to be carried out in accordance with BS3998:2010 Recommendations for Tree Work.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity.

- 4 **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.

- 5 **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.