

SITE PLAN

BEXHILL

RR/2023/1448/T

2 Hamilton Terrace,
Bexhill.



Rother District Council

Report to - Planning Committee
Date - 12 October 2023
Report of the - Director – Place and Climate Change
Subject - Application RR/2023/1448/T
Address - 2 Hamilton Terrace, BEXHILL.
Proposal - T1 - Oak Tree (TPO 323) - Reduce crown by 2.5m (approximately 30%); and slight lift over and away from electrical sub-station, electrical cables and neighbouring residential property.

[View application/correspondence](#)

RECOMMENDATION: It be recommended to raise **NO OBJECTION**

Director: Ben Hook

Applicant: Mr Daniel Bontoft
Agent: -
Case Officer: Miss Isla Wilson
(Email: Isla.Wilson@rother.gov.uk)

Parish: BEXHILL KEWHURST
Ward Members: Councillors B.J. Drayson and A.P. Hayward

Reason for Committee consideration: Application by Staff Member of Rother District Council

Statutory 8-week date: 4 September 2023
Extension of time agreed to: 26 October 2023

1.0 SUMMARY

- 1.1 The application seeks to request consent for works to a Tree Preservation Order (TPO) protected tree to the rear (south) of 2 Hamilton Terrace. The Rother Tree Officer has been consulted on the proposals and raised no objections to the works.
- 1.2 The Oak Tree (TPO 323) is under the ownership of the Applicant.
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2.0 SITE

- 2.1 The Oak Tree (T1) is large tree located within the rear garden of No. 2 Hamilton Terrace. The tree is near the roadside of Eastwood Road and the adjacent electrical sub-station. The canopy of the tree overhangs the garden

of adjacent neighbour (No. 42 Eastwood Road) and is close to the roof of the house and various overhead cables.

2.2 TPO 323 is proposed to have works undertaken.

3.0 PROPOSAL

3.1 Works are proposed to TPO 323, which is indicated on a sketch plan.

3.2 Detailed works proposed a reduction in crown of the Oak Tree by 2.5m (approximately 30%) and a slight lift over and away from the adjacent neighbouring properties, electrical sub-station and related electrical cables.

4.0 HISTORY

4.1 No relevant history.

5.0 POLICIES

5.1 When assessing applications for works to TPO trees, the Local Planning Authority is advised to:

- Assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area.
 - Consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it.
 - Consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions.
 - Consider whether any requirements apply in regard to protected species.
 - Consider other material considerations, including development plan policies where relevant.
 - Ensure that appropriate expertise informs its decision.
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6.0 CONSULTATIONS

6.1 Planning Notice – NO OBJECTION

6.1.1 One letter of support has been received (from one representative). The reasons are summarised as follows:

- Letter expressing appreciation of the Oak Tree by the local community and recognises the requirement to make the tree safe for the surrounding urban community.
- Requests that only essential work is carried out to the tree under supervision of arborist experts in reducing Oak Trees.
- Further requests that if permission is granted, works are to be completed at an appropriate time of year, to prevent disease and minimise interference with the inhabitants of the tree.

6.2 Bexhill-on-Sea Town Council – NO COMMENTS RECEIVED

6.3 Rother Tree Officer

- 6.3.1 “This is a large oak tree measured at approximately 18m in height and 10m in radius (Eastwood Road side) in the back garden of 2 Hamilton Terrace. The tree is near the roadside of Eastwood Road and the adjacent sub-station. The canopy of the tree overhangs the garden of 42 Eastwood Road and is close to the roof of the house and various overhead cables.

The aim of crown reduction may be to make the tree more suited to its immediate environment or to reduce the effects of shading and light loss, etc., and any perceived nuisance or damage to structures. A crown should normally be reduced in proportion to its original shape, so as to avoid altering the balance of the tree as a whole and the objective should not be to achieve symmetry for its own sake. The final result should retain the main framework of the crown, and so a significant proportion of the leaf bearing structure capable of producing dense leaf cover during the following growing season which is important for the maintenance of vitality and leave a similar, although smaller outline. There are some small pendulous branches over the garage next to the substation. These could be pruned to give approximately 2m clearance of the structures.

Oak trees generally respond well to this type of pruning. The pruning will serve to retain the tree at close to its current size and present a slightly more compact and managed appearance which may be considered to be appropriate in this residential area. Therefore, there is no objection to the proposed pruning. All work should be in accordance with BS 3998:2010 Tree work – Recommendations.”

7.0 **APPRAISAL**

- 7.1 The Oak Tree is a prominent tree located on Eastwood Road and can be seen from the north of Holmesdale Road and intersection at Cranston Avenue. It is an outstanding feature, which alongside other trees in the vicinity, contributes to the wider setting and street scene of the area.
- 7.2 The tree is currently seen to be in close proximity to a public footpath along Eastwood Road and it is thereby considered that any overhanging branches could pose a risk to pedestrians. The pruning of these branches would not be detrimental to the amenity value of the tree and therefore there should be no objection to their removal.
- 7.3 The proposed pruning and crown lifting would raise ground clearance which fundamentally mitigates harm to the amenities of the surrounding neighbours, electrical substation and associated electric cables. The Applicant has also advised that on the morning of 22 September 2023, a large branch fell from the tree, causing damage to their fence.
- 7.4 The proposed works are, in their totality, considered to be necessary for the purposes of safety and would not result in a significant loss to the amenity value of the tree.
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8.0 PLANNING BALANCE AND CONCLUSION

8.1 It is considered that no objection should be raised to the works to the Oak Tree TPO 323 to the south of 2 Hamilton Terrace.

RECOMMENDATION: NO OBJECTION to works to TPO 323 (T1 - Oak Tree) at 2 Hamilton Terrace, Bexhill.

GRANT CONSENT for Oak Tree (TPO 323) - Reduce crown by 2.5m (approximately 30%); and slight lift over and away from electrical sub-station, electrical cables and neighbouring residential property.

CONDITIONS:

1. This consent is valid for two years beginning with the date of its grant and the works for which such consent is granted may only be carried out once, in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works shall be carried out in accordance with BS3998:2010 Recommendations for Tree work.
3. All trees recommended for tree surgery works will need to be checked for the presence of bats or nesting birds prior to works commencing. Disturbance to bats or nesting birds could contravene the Wildlife and Countryside Act 1981.