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reply to Tom Luck  
telephone 0117 922 3728  
Email [development.management@bristol.gov.uk](mailto:development.management@bristol.gov.uk)  
our ref  
date 12 August 2022

Dear Sir/Madam,

**Application No.** 22/03938/VD

**Proposal:** Sweet Chestnut - Fell dead tree 5 day notice. TPO 058

**Site Address:** 13 Cavendish Gardens Bristol BS9 1RQ

## **NOTIFICATION OF DEAD OR DANGEROUS TREE**

I refer to your recent notification regarding the above.

A member of staff from the Arboricultural Section has agreed that the proposal for tree works can be carried out under the Dead and Dangerous exemption of the Town & Country Planning Act 1990. Therefore, in this instance, formal consent from the Local Planning Authority is not required.

However, when a tree is removed under this legislation, there is a duty on the owner of the land, under Sections 206 and 211 of the Town and Country Planning Act 1990, to plant another tree, of an appropriate size and species, at the same place as the tree to be felled, as soon as it is reasonably possible. The new tree will have the same legal protection as the tree it replaced.

In some circumstances, it may not be appropriate to replace the tree and therefore the Local Planning Authority has the power to dispense with this duty.

In this instance, a replacement tree is required.

A replacement tree shall be species English Oak (*Quercus robur*) and shall be planted within the first available planting season following the felling of the TPO tree hereby approved. The tree should be a minimum 12-14cm girth and shall be planted in a suitable position within five metres of the original position of the removed tree in order to provide suitable replacement amenity value for the surrounding areas. The tree is to be suitably protected, maintained and watered to ensure successful establishment.

Photographic evidence of the planting to be submitted to Bristol City Council Planning Department via email to: [development.management@bristol.gov.uk](mailto:development.management@bristol.gov.uk) clearly stating application No 22/03938/VD.

If the newly planted tree dies or fails to establish it will be replaced with a tree of the same species and specification until it is properly established and reaches a girth of 30cms.

Reason - To ensure the character of the conservation area is retained and that trees of value, which contribute to the character of the area, are successfully established

Yours faithfully

Development Management