TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS 1999

DECISION NOTICE

Application Ref: AW/11/08/T

1 **To Addressee**

Mr R Turner
5 The Orchard
Manor Way
Aldwick Bay
West Sussex
PO21 4HX

2 **Site Address**

5 The Orchard
Manor Way
Aldwick

3 **Description of Development**

Fell one Monterey Pine tree.

4 In pursuance of their powers under this Act and these Regulations the Council GRANT consent for the operations to be carried out in accordance with the application and plan and subject to the conditions specified.

The Council certify that they are satisfied that the conditions specified are in the interests of good forestry or in the case of trees other than those comprised in woodlands, that the trees have an outstanding or special amenity value.

CONDITION 1 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 in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 2 The applicant shall during the next planting season following the felling of the Monterey Pine tree, the subject of this application, plant a replacement tree of a species and maturity and in a position approved by the Local Planning Authority and under its supervision. In the event that any such tree dies within five years following such planting shall replace them by a similar tree in a similar position during the next planting season.

Reason: To retain trees in the interests of the environment of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

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.

Case Officer: Mrs J Chapman

Date of Decision: **19th March 2008**

Date Decision Issued: **20th March 2008**

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Howard Cheadle

Howard Cheadle
Head of Planning & Housing Strategy

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO APPLICATIONS TO CARRY OUT WORKS TO TREES

TOWN AND COUNTRY PLANNING ACT 1990

YOUR RIGHT TO APPEAL

If you are aggrieved by the Councils' decision to refuse consent, you can appeal to the First Secretary of State. If you want to appeal, you must do so in writing to the Government Office for the South East, 1st Floor, Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1 4GA within 28 days from the date you receive this decision. The Secretary of State has discretion to allow a longer period.

COMPENSATION

If you suffer loss or damage which is caused or incurred in consequence of this refusal of consent, you are entitled to recover from the Council compensation in respect of such loss or damage. If you wish to make a claim you must do so within 12 months from the date of this decision (or, if you appeal to the First Secretary of State, within 12 months from the date of his decision). Claims should be submitted in writing to the Head of Planning Services, Arun District Council, Maltravers Road, Littlehampton, West Sussex, BN17 5LF.