ARUN DISTRICT COUNCIL

Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Tree Preservation) (England) Regulations 2012
Application for Works to Tree(s) on trees subject to a Tree Preservation Order (TPO)

DECISION NOTICE

Application Ref: AW/92/14/T

1 **To Addressee**

Mr D Brooks
The Pingle
99 Manor Way
Aldwick
West Sussex
PO21 4HU

2 **Site Address**

The Pingle
99 Manor Way

PO21 4HU

3 **Description of Development**

Fell 2 No Sycamore trees

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.

1 The works hereby approved shall involve the felling of 2x Sycamores (T1 & T2). All works shall 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.

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 applicant shall during the next planting season following the felling of the two Sycamore trees, the subject of this application, plant one replacement tree of a maturity and in positions approved by the Local Planning Authority and under its supervision and in the event that any such trees die within five years following such planting shall replace them by a similar tree in a similar position during the next planting season. The replacement tree shall be planted in close proximity to T1 and shall be a standard tree of 8 to 10 feet tall and 8 to 10cm circumference. It shall be one of the following species: Swedish Birch - Betula pendula 'Dalecarlica', Sweet Gum - Liquidambar styraciflua or a Tulip Tree - Liriodendron tulipifera.

Reason: To retain trees in the interests of the environment of the locality in accordance with online Planning Practice Guidance reference ID 36-098-20140306.

4 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.

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.

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 amendd) 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.

INFORMATIVE: Bare root trees can only be planted between October and the end of March the following year but containerised stock can be planted at any time of year but may require more watering in than bare root stock.

Case Officer: Mr S Davis

Date of Decision: **9 May 2014**

Karl Roberts
Assistant Director Planning & Economic Regeneration

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

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 Planning Inspectorate, The Environment Team, Room 4/04, Kite Wing, Temple Quay House, 2The Square, Temple Quay, Bristol BS1 6PN 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.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).