

Rita Williams
Manor Cottage
Ecclesden Lane
Angmering
BN16 4DQ

Your Ref: OWPC18222

Our Ref: A/64/18/T

09-05-2018

Please ask for:
Zac Denton

14th May 2018

Dear Sir/Madam

Town & Country Planning Act 1990 (as amended)

Town & Country Planning (Tree Preservation) (England) Regulations 2012

Copper Beech (T1) - fell due to approved construction works having compromised the life expectancy. Replant with one *Carpinus betulus* 'Fastigiata' in the same place.

Copper Beech (T2) - fell due to approved construction works having compromised the life expectancy. Replace with 5 x *Sorbus aria* 'Majestica' in locations recommended by the Tree Officer.

Worthing Audi Roundstone By-Pass Road Angmering

Thank you for your internet representation made on 13th May 2018 which has been recorded as **'an objection'** with the comments as follows:

How could this happen? It has to be more than a coincidence as the trees are a fair distance apart! Another example of an applicant "gaming the system"?

There is a tick against the question "are you providing additional information in support of your application" but the Statement on the portal is blank. The burden of proof to show, on the balance of probabilities, that work fell within the terms of conditions imposed is firmly placed on Caffyns Audi. This information needs to be sought and uploaded onto the Portal.

Is this a case of: "It is easier to ask for forgiveness than it is to get permission"? Assessing risk versus reward when you know the consequences of being prosecuted are not severe and unlikely to harm either your finances or brand reputation.

The Tree Officers response to the original application (A/162/15/PL) says Caffyns Audi had confirmed that intrusion into the Root Protection Areas of the retained trees was not required, and lists the following Conditions:

- 1. Agreed ground protection before any construction works commences and the protective fencing must be erected and kept in place for the duration of the development works.*
- 2. Once erected, Arun's Arboricultural Officer would be contacted to ensure the fencing is correctly placed and the fencing once erected kept in place for the duration of the development works.*
- 3. When excavating for the new developments foundations any root structure exposed with a diameter over 25 mm should be retained. If the operators wish to remove roots of over 25mm in diameter, then the LPA arboricultural officer must be informed to supervise any root pruning/removal.*

The trees were therefore not only protected by a TPO but also a RPA and other measures as part of the planning application. If it is clear that the damage done is irreversible, then it is an offence under section 210 of the Town and Country Planning Act 1990 caused by actions resulting from works Caffyns Audi has permitted or caused to happen. Perhaps by applying pressure to bring the development in on-time after delays caused by "the beast from the east" and ignoring the fact that excavations had uncovered vulnerable tree roots. If proven. Arun need to take action and punish them as a deterrent to others.

I object to the trees they propose to replace them with. They are from the list of the usual formulaic development fare and will of course be young saplings. So in the next 10 years or so, once they get to the sort of size where they start leaving sticky honey dew, berries, wet leaves and bird droppings all over the new cars on the forecourt, regardless of the fact they will have a TPO put on them, they will also probably start to mysteriously disappear . . . by then, nobody will care.

Arun should thoroughly investigate this matter. Audi are proud of being "environmentally minded in pursuit of the common good" At the very least, Arun should insist that if the trees can not be saved, that replacement Beech trees of an appropriate size and species should be planted.

Your views will be considered before the application is determined and I shall write to inform you of any decision made.

Please be aware that if the application is to be determined by the Council's Development Control committee and your letter has been received at a late stage after the Agenda has been published you will not receive a separate letter notifying you of the date of the meeting and procedures for public speaking. In such circumstances it is recommended that you track the progress of the application on the Council's website or telephone the Council for further information. Please be advised that any comments you make that are not included within the Committee Agenda will be reported to the Members of the Development Control committee. Please also be aware that only a small number of all planning applications received go the Development Control Committee. Most are determined under delegated powers by Officers in which case your comments will again be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish details of your comments on the internet on the Arun District Council Planning section. Please ensure that you only provide information that you are happy will be made available in this way. If you supply information belonging to a third party, please ensure you have their permission to do so. If you do not wish your comments to appear on the 'open file' please confirm this in writing and I will arrange for it to be destroyed although this means that its contents will then be disregarded.

In the event of a subsequent written representations appeal, against a refusal of planning permission on a householder application, any representations made on the application will be automatically forwarded to the Secretary of State. Unlike all other types of appeal, there will be no further opportunity to comment at the appeal stage.

Yours faithfully

Neil Crowther
Group Head of Planning