



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: BR/267/18/T

1 To Addressee

Mr Jamie Kyte
 4 Pinewood Gardens
 Bognor Regis

PO21 2XB

2 Site Address

4 Pinewood Gardens
 Bognor Regis
 PO21 2XB

3 Description of Development

Fell 1No. Liquid Amber tree

In pursuance of their powers under this Act and these Regulations the Council **REFUSE** consent for the operations described in the application and plan for the reasons stated.

1 The tree makes a significant contribution to the character of the area and therefore in the absence of any arboricultural justification the loss of the tree would be detrimental to the visual amenities of the locality in conflict.

2 **ADVISORY:**
 If the applicant remains concerned about this tree's potential involvement in deterioration of their brick boundary wall, then I advise a narrow (<300mm wide) exploratory excavation be attempted parallel to the wall, to a depth sufficient to determine both the extent and condition of the footings. Any problematic root material (<25mm diameter) closely associated with the damage event could be removed at that time, under supervision and in agreement with the local planning authority's tree officer. Note: All parts (above and below ground) of the tree are similarly protected by the existing Order (TPO).



Neil Crowther
Group Head of Planning

Case Officer: Mrs C Easton

Date of Decision:

21 January 2019

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

Appeals under Regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012

If you are aggrieved by the local planning authority's decision to refuse consent, you can appeal to the Secretary of State within 28 days of the date of this notice.

Your appeal should be made on the relevant TPO (consents) appeal form obtained from the planning inspectorate. You can find the form and advice about making an appeal at <https://www.gov.uk/appeal-decision-about-tree-order>

You may also obtain a form by telephoning or writing to The Planning Inspectorate, Environment Team, Room 2/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or you can e-mail: environment.appeals@pins.gsi.gov.uk

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