



Arun District Council
Arun Civic Centre
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Lewis and Co Planning SE Ltd
Lewis & Co Planning
2 Port Hall Road
Brighton
BN1 5PD

Your Ref: FG/178/18/DOC

Please ask for:

Mrs A Gardner

22 November 2018

Dear Mr Bareham

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015
Approval of details reserved by condition imposed under FG/27/18/PL relating to conditions 7-
Construction Management Plan & 10-protection of retained trees.
Ferringham House 58 Ferringham Lane, Ferring,

Notification regarding the above application:

Condition Number 10

No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees to be retained on the site have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy GEN7 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the retained trees are protected during construction.

Decision:

Arun District Council have decided to **REFUSE details reserved by condition for the following reasons:**

There is no practical benefit to discharging the condition at this stage and there is no additional

constraint arising from waiting until the Tree Protection measures have been correctly installed.

The provision (and subsequent agreement by the LPA) of a suitable Tree Protection Plan (TPP) is not of itself sufficient to discharge the condition.

Any tree protection measures must be in place before heavy plant access, soil movement, demolition or construction occurs. The prior installation of an effective 'Construction Exclusion Zone' must be inspected by and be to the satisfaction of the LPA (Tree Officer) before the relevant condition can be discharged. Anything less and potentially irreversible damage to those trees identified for retention could result.

It is recommended that fencing is installed in accordance with the Tree Protection Plan to form an effective Construction Exclusion Zone so as to adequately respect and protect significant trees before any work occurs.

Please do not hesitate to contact the above officer if you require any further assistance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning