



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: FG/89/13/T

1 To Addressee

Mr M Gell
 9 Penfolds Place
 Arundel
 West Sussex
 BN18 9SA

2 Site Address

39 Ferringham Lane
 Ferring
 BN12 5NB

3 Description of Development

Re-pollard 1 No Holm Oak tree by 5m, pollard 2 No Holm Oak trees by 5m, reduce crown by 1 m and crown thin by 10-20% to 1 No Sweet Chestnut tree and reduce east and west side radial spread by 2m to 1 No Beech 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.

- 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.

- 2 In regard to the Sweet Chestnut. The Crown Reduction must not exceed the removal of branches greater than 1m in length for the Sweet Chestnut and 2m in length for the Beech. The pruning cuts should leave substantial side branch growths of at least 1/3rd or greater in diameter to leave their foliage bearing buds intact. Pruning cuts must be made flat and smooth, kept as small as possible and cut at an optimum angle to leave the bark branch collar/ridge intact. For all live branch removals, wound sizes must not exceed a diameter of 50mm. Thinning approved relates to diseased and crossing branches only.

REASON: In order to ensure a satisfactory standard of tree surgery in the interests of retaining good health and amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 3 In regards to the Evergreen Oak trees. The Crown Reduction must not exceed the removal of branches greater than 5m in length. A lesser amount must be cut to allow the retention of the original lopping points where multiple branch growth occurs. Pruning cuts must be flat and smooth, kept as small as possible and cut at an optimum angle. The pruning cuts should leave substantial side branch growths OR 50mm stubs to be left proud of the original lopping points for healthy regrowth to establish. All Pruning cuts for both crown reduction and crown lift operations should not exceed wound sizes of 100mm in diameter.

REASON: In order to ensure a satisfactory standard of tree surgery in the interests of retaining good health and amenity in accordance with policy 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.

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 amended) 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.



Karl Roberts
Assistant Director Planning & Economic Regeneration

Case Officer: Mr J Smith

Date of Decision:

27 September 2013

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).