

DECISION NOTICE

Application Ref: FP/16/22/T

1 To Addressee

CM Tree Care
4 Marlowe Close
Middleton on sea
PO22 6RZ

2 Site Address

4 Wyke Lane North
Felpham
PO22 8LE

3 Description of Development

1 No. Ash tree (T1) - Crown reduction to 12.5m in height and 6m spread.

4 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 No arboricultural justification has been provided for whole crown reduction pruning to any extent. This tree requires careful management that respects its vulnerability to environmental changes and potential disease progression. The tree makes a significant contribution to the character of the area and in the absence of any arboricultural justification the works proposed represent an adverse impact on visual amenity.

INFORMATIVE: Regulation 14 - (1) (c) of The Town and Country Planning (Tree Preservation) (England) Regulations 2012 permits 'The lopping of tree branches to the extent that such works are urgently necessary to remove an immediate risk of serious harm' as an exception from the normal application process. In practice here, that permits the applicant to prune those branches which overhang the public highway, achieving maximum overhead clearance of 5metres directly above the carriageway, without recourse to this authority.



Neil Crowther
Group Head of Planning

Case Officer: Hannah Kersley

Decision Issued: **8th March 2022**

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 Group Head of Planning, 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).