

Lynnyrd Wolfe

From: Mark Warwick
Sent: 18 November 2019 17:12
To: Lynnyrd Wolfe
Subject: FW: FP/187/19/T

Follow Up Flag: Follow up
Flag Status: Completed

Hi Lynnyrd

The applicant should be invited to withdraw their application. Please see my comments below.

I plan to be at the civic centre from mid-morning tomorrow if you need to discuss further.

Regards,

Mark

From: Mark Warwick
Sent: 25 October 2019 14:33
To: Lynnyrd Wolfe [REDACTED]
Subject: FP/187/19/T

Hi Lynnyrd

I believe this was one of the tree work applications you emailed me recently for a response.

Please read my comments of the 14th October.

Thanks,

Mark

From: Nicola Moore [REDACTED]
Sent: 15 October 2019 13:31
To: Mark Warwick [REDACTED]
Subject: RE: Dead horse chestnut tree

Hi Mark

I've had a look at the TPO and can't see any mention of the Horse Chestnut.

Thanks

Nicky



From: Mark Warwick [REDACTED]
Sent: 14 October 2019 12:58
To: Nicola Moore [REDACTED]
Cc: Daun Johnson [REDACTED]
Subject: FW: Dead horse chestnut tree
Importance: High

Hi Nicky

In Daun's absence, please could you provide confirmation as requested below.

Thanks,

Mark

From: Mark Warwick
Sent: 14 October 2019 12:55
To: Daun Johnson [REDACTED]
Subject: FW: Dead horse chestnut tree

Hi Daun

You will remember this enquiry. I think there was a bus involved?

I have just spoken again with Mrs Carter who is very upset that I appear to have given her conflicting advice on whether the horse chestnut tree in her garden is the subject of an Order or not. **Please could you provide clarification that the Order (Bognor No.14) 3/353/91 does not affect ANY horse chestnut tree.** I will then go back to her one last time and re-affirm what I stated below in my email of 27th August.

What appears to have upset Mrs Carter recently (understandably) is that we (Arun DC) have dealt/are dealing with tree work applications at neighbouring property 7 Leinster Gardens; on the basis that two horse chestnut trees are the subject of an Order. This appears not to have been the case and so I shall now recommend to Lynnyrd that we 'apologise?' and invite the applicant to withdraw (FP/187/19/T).

Thanks,

Mark

From: Mark Warwick
Sent: 27 August 2019 10:43
To: [REDACTED]
Cc: Daun Johnson [REDACTED]
Subject: RE: Dead horse chestnut tree

Dear Mrs Carter

I am sorry you have taken offence at comments made previously. I believe Ms Johnson's intention was to advise me that you were expecting to be able to fell the dead horse chestnut tree by way of an 'exception' from the normal application process to obtain permission. You would be quite right to have that expectation. It is indeed the case,

(statutory protection from a TPO or otherwise) that you are entitled to do so, but are required to give the local planning authority 5-days notice where a TPO exists.

My own desktop review of the area suggests the following TPO applies to your property:

- Bognor No.14

I have attached the relevant plan and schedule which illustrates/describes those trees protected by that Order.

There is no mention of any horse chestnut on either document, so it appears you are free to manage this tree at any time and certainly without further recourse to this authority.

I hope this information is helpful to you.

Should you require any further assistance, please do not hesitate to contact me directly.

Yours sincerely

Mark Warwick

[REDACTED]

From: Jan Carter [REDACTED]
Sent: 26 August 2019 14:38
To: Mark Warwick [REDACTED] Daun Johnson [REDACTED]
Subject: Re: Dead horse chestnut tree

Further to my previous emails I would point out that I have NO intention of taking down the horse chestnut tree without following the correct procedures and I am slightly offended by Daun Johnson's suggestion that I might take the tree down without permission in the email to Mr Warwick!

Please respond to my questions as soon as possible.

Thank you

Mrs Janet Carter

Sent from my iPad

On 22 Aug 2019, at 08:17, Roger Carter [REDACTED] wrote:

Dear Mr Warwick

Thank you for your prompt reply. Can you please let me know if the horse chestnut tree has a preservation order on it. I cannot find any records to verify this, as I have said I only remember the original conversation advising that we should keep the tree. Can you also provide me with the details of the preservation orders on the 2 trees one sycamore and one pine which are adjacent to the horse chestnut. I apologise for the extra work this may involve but my husband died in June and I am anxious to ensure that I now have accurate records for the future.

Kind regards

Mrs Janet Carter

Sent from my iPhone

On 21 Aug 2019, at 13:58, Mark Warwick [REDACTED] wrote:

Dear Mrs Carter

Thank you for your email, which was forwarded to me for attention.

I am sorry for the later than intended reply.

The situation relating to the removal of dead branches or dead trees, the subject of an Order (TPO) is relatively straight forward.

Please read the following notes carefully:

What are the exceptions for work on dead trees and branches?

Unless work is urgently necessary because there is an immediate risk of serious harm, 5 working days prior written notice must be given to the authority before cutting down or carrying out other work on a dead tree. The authority's consent for such work is not required.

The exceptions allow removal of dead branches from a living tree without prior notice or consent.

Tree owners, their agents and authorities should consider biodiversity. Dead trees and branches can provide very valuable habitats for plants and wildlife, which may also be protected under other legislation. To conserve biodiversity it can be good practice to retain dead wood on living trees and at least the lower trunk of dead 'ancient' or 'veteran' trees unless, for example, safety reasons justify removal. Safety has priority, but safety considerations may not necessitate removal of all dead branches on living trees or the whole of a dead tree. It may be helpful to seek expert arboricultural and ecological advice.

Where a dead tree not covered by the woodland classification is removed, the landowner has a duty to plant a replacement tree.

Paragraph: 079 Reference ID [REDACTED]

Revision date: 06 03 2014

What is the exception for work on dangerous trees and branches?

Where a tree presents an immediate risk of serious harm and work is urgently needed to remove that risk, tree owners or their agents must give written notice to the authority as soon as practicable after that work becomes necessary. Work should only be carried out to the extent that it is necessary to remove the risk.

In deciding whether work to a tree or branch is urgently necessary because it presents an immediate risk of serious harm, the Secretary of State's view is that there must be a present serious safety risk. This need not be limited to that brought about by disease or damage to the tree. It is sufficient to find that, by virtue of the state of a tree, its size, its position and such effect as any of those factors have, the tree presents an immediate risk of serious harm that must be dealt with urgently. One consideration would be to look at what is likely to happen, such as injury to a passing pedestrian.

If the danger is not immediate the tree does not come within the meaning of the exception.

Where a tree is not covered by the woodland classification and is cut down because there is an urgent necessity to remove an immediate risk of serious harm, the landowner has a duty to plant a replacement tree of an appropriate size and species.

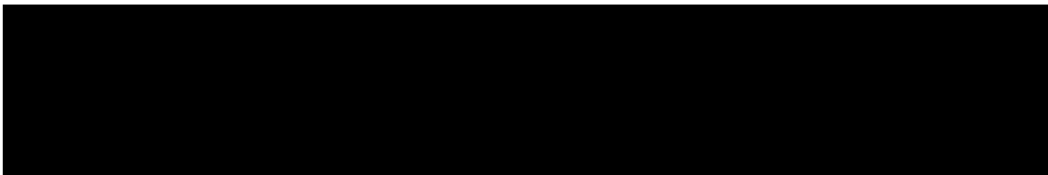
Paragraph: 080 Reference ID: 36-080-20140306

Revision date: 06 03 2014

I trust the above information will be of assistance.

Yours sincerely

Mark Warwick



-----Original Message-----

From: Daun Johnson

Sent: 05 August 2019 09:58

To: Mark Warwick [REDACTED]

Subject: FW: Dead horse chestnut tree

Looks like they want to do work without permission. Can you contact them about the dead trees?

Daun Johnson | Technical Support Unit Assistant, Directorate of Place, Arun District Council | Location: GroundFloor, Phoenix House, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF



-----Original Message-----

From: Jan Carter [REDACTED]

Sent: 02 August 2019 10:02

To: Planning [REDACTED]

Subject: Dead horse chestnut tree

Further to my recent conversation with Mr Martin I attach photos of the dead tree. It is adjacent to 2 trees, one pine and one sycamore which have TPOs on them. We were advised to keep the horse chestnut as the three trees were working together.

Now that the horse chestnut appears to be dead I am concerned that it may drop branches and be dangerous especially as it overhangs neighbour's gardens.

Your advice please.

Kind regards

Mrs Janet Carter



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