

7th August 2026

Paul McCormick
Lyminster Court
Lyminster Road
Lyminster
BN17 7QF

Case Officer: Silvie Steiningerova
Telephone: 01903 737702
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Dear Sir/Madam,

Town & Country Planning Act 1990 (as amended) s211 Notice

Application No: LY/13/26/TC

Site Address: Old Granary Church Lane Lyminster BN17 7QJ

Description of works: Fell 2 no. Elm (T4, T5), 1 no. Hawthorn (T6), 2 no. Prunus (T9, T11), 4 no. unknown (T10, T23, TG1), 1 no. Spruce (T13), 1 no. Sycamore (T12), 3 no. Western Red Cedar (T17, T18, T22), 3 no. Leyland Cypress (T19, T20, T21), 3 no. Holly (T24, T25, T26), 1 no. Lime (T27), 1 no. Laurel (T31). Removal of dead stem to 1 no. Sycamore (T12). Removal of broken southerly branch on 1 no. Leyland Cypress (T30). Cut down/coppice 1 no. Elder (T7) to height of 1m and 1 no. Sweet Chestnut (T15) to a height of 2m. Crown reduction to 1 no. Silver Birch (T8) to leave 2m clearance from building and crown lift to 4m from ground level. Crown lift to 1 no. Walnut (T14) to 5m from ground level, reduce lower northern branch back by 2-3m. Crown lift to 2 no. Lime (T28, T29) to 6m from ground level.

Thank you for your internet representation made on 6th August 2026 which has been recorded as an objection with the comments as follows:

OWPC85671

I object to this application. While some limited tree felling and pruning may be justified, e.g. where a tree is dead, the application seeks a degree of tree felling and radical tree surgery that is excessive and unjustified. I am the owner of Lyminster Court which is close to the site in question so I am familiar with its circumstances, condition and setting. The trees on the site make an important contribution to the amenity and rural character of the local neighbourhood. They balance and complement the trees on the opposite side of Lyminster Road and at the junction with Church Lane. They are in harmony with the stone walls on both sides of Lyminster Road and at the junction with Church Lane. They play an important part in creating the distinctive ambience of the local neighbourhood. This can only be protected at this stage by imposing tree preservation orders (TPOs) and urgently enforcing habitat protection. So far as TPOs are concerned, I formally request you to do so immediately to protect both individual trees and members of trees important to cohesion in line with the TEMPO considerations, excepting trees that are provably dead. The TPOs should include those trees specifically assessed to merit such preservation as identified in the attached Report. Where there is any doubt, due to uncertainty, lack of information, or inadequacies or gaps in the case presented by the Applicant, the appropriate course is to resolve it in favour of immediate TPOs. In the official Guidance it mentions that even trees of minimal amenity when under threat should be protected "allowing the widest range of options for

negotiated tree retention". The Guidance also pointed out that: "TPOs can serve as a useful control on overall tree losses by securing and protecting replacement planting". One of the key criteria for granting TPOs is "relative public visibility". This has not been addressed in the application. Church Lane is the route in and out of the heart of Lyminster and the site covers its entrance from Lyminster Road. Road users, including cyclists, and all pedestrians heading towards Arundel must do so down Lyminster Road alongside the site. A number of houses nearby look directly on to the site. Consequently, on a daily basis, numerous members of the public walk, cycle or drive past the site. The trees are prominently in view. There is therefore a very high level of relative public visibility. Current Government policy emphasizes the importance of localism and your Council is bound to give weight to the considerable local opposition to this application and the views of the Parish Council about it. The key test under Section 198 of the TCPA for preservation of trees is what is in the "interests of amenity" and this issue has not been adequately addressed by the Applicant. Habitat issues likewise have not been adequately addressed in the application. Please see the attached Report which rectifies this omission. I was surprised to see that your Tree Officer had written to support the application without waiting for the close of the consultation period and that he had simply relied on the Applicant's arboriculturist's report. The Applicant's arboriculturist cannot be the judge, let alone sole judge, of amenity questions and the public interest in them. In any case there is a legal problem when there is pre-judgment or apparent pre-judgment of the issues which occurs when an officer's discretion is fettered due to premature announcement of a position on the application before the full facts and full representations are known. I would therefore, respectfully, challenge defects in due process and in evaluation concerning the tree officer's recommendation, as well as the inadequacies in the Applicant's supporting report and evidence.

Unfortunately, it is not possible for the council to respond to comments on planning applications but your views as made above will be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish your comments including your name and address on the website. The website is updated once a day in the evening so it may take up to 24 hours for it appear on there. Please make sure that you have only provided information that you are happy will be published in this way. If you have supplied information belonging to a third party, you must make sure you have their permission to do so. If you do not wish your comments to appear on the website or on the file you will need to confirm this by emailing to planning@arun.gov.uk and I will arrange for it to be destroyed although this means that the content will then be disregarded.

The majority of applications are determined under delegated powers by officers. Further information on the decision making process can be found on the website at :<https://www.arun.gov.uk/what-happens-next>.

Some applications will be determined by the Planning Committee, and I shall write and inform you of the date of the meeting and the procedures for public speaking if this is the case. However, if your representation has been received after the agenda for the meeting has been finalised and the notifications have been generated, you will not receive notification. In this case, you will need to track the progress of the application on the council's website <https://www.arun.gov.uk/planning-application-search>

Any comments that are received after the agenda has been finalised will be separately reported to the members of the Planning Committee.

Regardless of how the application is determined I will notify you of the decision.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website
<https://www.arun.gov.uk/privacy-policy/>

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.

To register to receive notification of planning applications in your area, please go to
<https://www1.arun.gov.uk/planning-application-finder>