

Alison Owen
12, Bushby Avenue,
Rustington
West Sussex

Your Ref: OWPC16405
Our Ref: R/248/17/T 06-11-2017
Please ask for:
Amber Willard

22nd November 2017

Dear Sir/Madam

Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Tree Preservation) (England) Regulations 2012

Various surgery to 1No. Sycamore tree.
Rear of 10-12 Bushby Avenue Rustington

Thank you for your internet representation made on 22nd November 2017 which has been recorded as '**an objection**' with the comments as follows:

1. This application is made by the same applicant as R/205/17/T. The applicant was informed of the bat roost and presence of bats then and has in fact acknowledged that he has received that information and is aware of the presence of a bat roost and bats adjacent to this tree.

I will reiterate that there is a bat roost and bats in the Lebanon Cedar tree adjacent to the sycamore that is the subject of this application. In the UK, bats and their roosts are protected by law whether occupied or not. It is illegal to damage, destroy or disturb any bats or roosts without having taken the necessary precautions. A roost is defined as any place that a wild bat uses for shelter or protection and the roost is protected whether bats are present in it or not.

No Protected Species Survey has been carried out nor does the applicant have a European Protected Species Licence.

The proposed works as well as the intended use of a lift platform will disturb the bats and is therefore illegal.

2. On this new application the applicant has neglected to fill in the owner of the tree. On his application R/205/17/T he stated that the Crown was the owner.

3. Previous applications for work on this tree.

R/24/09/T was refused.

R/262/10/T was for the removal of one sucker growing from the base of the tree.

R/207/14/T was not approved. The council parks department started working on the tree before the planning application had even been publicised, considered or given approval and they were stopped immediately by Mr. Dafydd Lloyd. Mr Dafydd Lloyd cited "a miscommunication of information" within the council and between the council departments involved and the work applied for was not completed because it had not followed due procedure or received approval in the first place.

R/157/17/T was for the removal of suckers growing from the base of the tree and was approved.

4. The applicant cites the reason given for application R/207/14/T was "to abate potential nuisance". I would ask the planning authority to kindly check that application for there was absolutely no reason given at all for the works.

5. In application R/205/17/T the same applicant requested the removal of half a metre of

all the south facing branches which would have resulted in removing half the tree.

This time he is requesting 5.5 - 6.0 metres be removed!

This will completely destroy the natural shape of the tree and there are still no good arboricultural reasons for this work to be carried out.

6. The tree is a significant feature in the local landscape. It is mature, sound and healthy. The proposed work would result in a great reduction of the tree's landscape impact and undue detriment to the visual amenities of the locality in direct conflict with policies DEV1 of the West Sussex Structural Plan and GEN7 of the Arun District Local Plan.

Your views will be considered before the application is determined and I shall write to inform you of any decision made.

Please be aware that if the application is to be determined by the Council's Development Control committee and your letter has been received at a late stage after the Agenda has been published you will not receive a separate letter notifying you of the date of the meeting and procedures for public speaking. In such circumstances it is recommended that you track the progress of the application on the Council's website or telephone the Council for further information. Please be advised that any comments you make that are not included within the Committee Agenda will be reported to the Members of the Development Control committee. Please also be aware that only a small number of all planning applications received go the Development Control Committee. Most are determined under delegated powers by Officers in which case your comments will again be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish details of your comments on the internet on the Arun District Council Planning section. Please ensure that you only provide information that you are happy will be made available in this way. If you supply information belonging to a third party, please ensure you have their permission to do so. If you do not wish your comments to appear on the 'open file' please confirm this in writing and I will arrange for it to be destroyed although this means that its contents will then be disregarded.

In the event of a subsequent written representations appeal, against a refusal of planning permission on a householder application, any representations made on the application will be automatically forwarded to the Secretary of State. Unlike all other types of appeal, there will be no further opportunity to comment at the appeal stage.

Yours faithfully

Neil Crowther
Group Head of Planning