

Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
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From: Amber Willard <Amber.Willard@arun.gov.uk>

Sent: 22 October 2026 08:24

To: Planning.Responses <Planning.Responses@arun.gov.uk>

Subject: FW: WA/98/26/DOC (Condition 17) and WA/85/26/DOC (Condition 16) – woodland W1 TPO/WA/1/21, access and P23 works: tree protection, ecology and BNG

Please upload as rep letter for WA/98/26/DOC.

Thanks

Amber Willard MRTPI

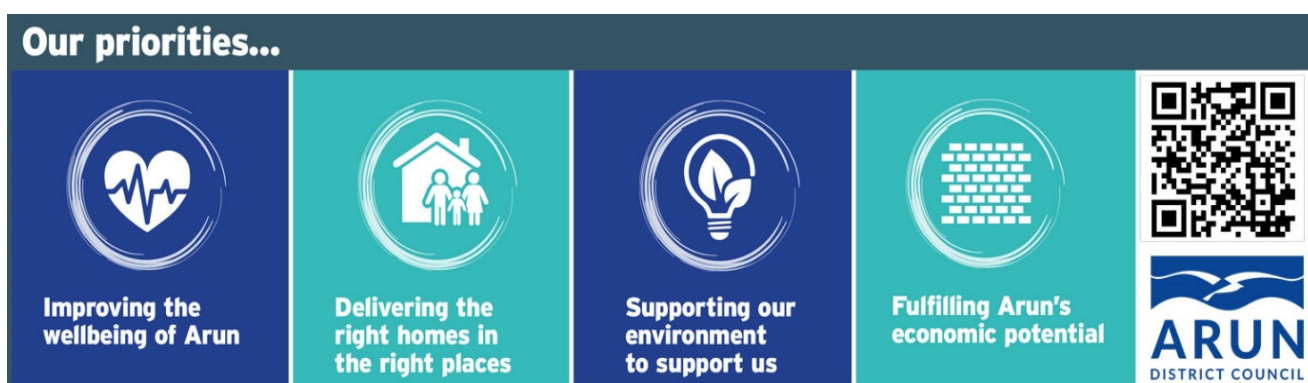
Principal Planning Officer, Planning Department

Tel: 01903 737942

E: amber.willard@arun.gov.uk

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From: Residents of Walberton - RoW [REDACTED]

Sent: 22 October 2026 03:06

To: Amber Willard <Amber.Willard@arun.gov.uk>; Cllr. Mel Penycate <Cllr.Mel.Penycate@arun.gov.uk>; Cllr. Sue Wallsgrove <Cllr.Sue.Wallsgrove@arun.gov.uk>; Mark Warwick <Mark.Warwick@arun.gov.uk>; Jonathan Best <Jonathan.Best@arun.gov.uk>; [REDACTED]

Subject: WA/98/26/DOC (Condition 17) and WA/85/26/DOC (Condition 16) – woodland W1 TPO/WA/1/21, access and P23 works: tree protection, ecology and BNG

CAUTION: This email originated from outside of the organisation. You should take extra care when clicking links or opening attachments - if you are unsure the content is safe contact the IT Helpdesk before clicking or opening.

Dear Officer Willard,

Please record this further representation on WA/98/26/DOC, concerning outline Condition 17 (CEMP: Biodiversity), and cross-reference it to WA/85/26/DOC in relation to outline Condition 16 (Biodiversity Net Gain)..

My objection concerns whether the submitted CEMP adequately assesses and controls the effects of wall demolition, access construction, visibility clearance and P23 path works on retained trees and woodland. These activities directly engage Condition 17's requirements for construction-risk assessment, protection zones, practical mitigation and supervision.

The concern is whether the approved development can be constructed consistently with the protection of trees and woodland identified for retention within W1 under TPO/WA/1/21 (attached)

1. Establishing the actual wall and access works

Drawing **C9_23_38_PL_EW_601** (attached) identifies 165 metres of roadside flint wall for demolition and shows brick piers finishing the remaining wall ends. It does not show a replacement wall set back behind the visibility splays.

I recognise that the reserved-matters officer's report, pages 16–17, acknowledged the 165-metre extent and assessed the heritage implications. My present request concerns the physical works whose construction effects require assessment.

Please:

- **Identify the approved drawings defining the demolition endpoints and extent north and south of the access, including the entrance bellmouth.**
- **Explain EW601's formal status, given its absence from both the WA/52/24/RES and WA/89/26/NMA approved-plan schedules, and its relationship to approved outline access drawing 5478/002 Revision F. The listed EW600 concerns internal garden flint walls.**
- **Please also explain how drawing C9_23_38_PL_EW_601 relates to Condition 2 of WA/52/24/RES, which requires approval of a sample panel of flintwork and bricks for the remedial works to the eastern flint wall. Please clarify which eastern-wall works that condition addresses and identify the approved drawings defining their extent and the proposed treatment of the remaining wall ends.**
- **Confirm whether the demolished frontage is permanently to remain without a wall. If a replacement boundary or retaining structure is intended, identify its location and drawing.**

The March 2022 road safety audit recommended relocating the wall behind the visibility splays, and the designer recorded agreement with that recommendation . Please reconcile that response with EW601's demolition-and-end-pier proposal.

Please identify the relevant construction drawings, including any prepared through the S278 process, **on which the CEMP's assessment relies.**

2. Visibility clearance, retained trees and raised ground

Removing the wall does not itself demonstrate that the visibility splays can be provided while retaining the trees shown for retention. Roadside trunks, low branches and foliage may also obstruct the required views.

The attached **WA-98-26-DOC - Proposed access Tree protection** images shows the actual wooded flint-wall frontage and verge. EW601's comparison photograph is identified as being north of the application site and depicts a different setting beside a paved footway and pruned hedge. A site-specific assessment is needed for the proposed entrance.

EW601 states that it '**omits trees for clarity**'. Meanwhile, Table 2 of **201283-AIA4, dated 10 June 2024**, printed page 8, records activities within root-protection areas as "**n/a**". This is the arboricultural document expressly required by **RES Condition 4**. Please identify where the subsequent 165-metre demolition proposal and associated construction methods were assessed.

Please obtain or identify a coordinated highway and arboricultural assessment showing:

- **The approved splays over surveyed trunk positions and relevant branch and canopy extents.**
- **Already-approved removals, retained trees requiring pruning, and any additional felling or pruning needed to provide and maintain visibility.**
- **Wall-demolition limits, affected tree references, root-protection areas and the TPO boundary.**
- **Treatment of existing wall foundations, new pier or retaining-structure foundations, and excavation.**
- **Machinery access, working areas, demolition methods, protective measures and arboricultural supervision.**

Please identify any agreed arrangement allowing potentially obstructing retained trees within the splays and explain its compatibility with Condition 22.

From my observations, the ground immediately behind the wall is raised, with longstanding accumulation of leaf litter and decomposed organic material. Please establish whether the wall now retains that material and whether roots occupy the ground affected by demolition.

Measured cross-sections should show existing and proposed levels, any bank excavation or reprofiling, and how the remaining ground would be supported or stabilised without damaging retained roots. Trees grow immediately beside the wall, with some leaning towards or against it; demolition and subsequent groundworks could therefore affect roots and stability.

3. P23, the vehicle access crossing and construction through woodland W1

Page 2 of the attached **WA-98-26-DOC - Proposed access Tree protection** images shows the existing unsurfaced P23 route winding between closely spaced trees where the proposed vehicle access also crosses this route, so the construction effects of the access road, crossing and path works need to be assessed together. P23 is also currently under investigation through DMMO application 1/25.

Condition 23 requires a minimum 2-metre route with an approved construction specification. Please explain how the CEMP assesses and controls the combined effects of the road and path works, coordinated with the details to be approved under that condition.

Outline Condition 23 requires the P23 improvements to be completed before first occupation, in accordance with approved plans and a construction specification, including a minimum route width of 2 metres. Requirements (e)–(g) expressly include details of trees to be removed, suitable tree-protection measures and an ecological assessment of the area affected by the proposed enhancements.

Please explain how the CEMP assesses and controls the combined construction effects of the access road, crossing and path works, and how its protective measures and construction sequencing will be coordinated with the details to be approved under Condition 23.

Please obtain or identify a coordinated assessment showing:

- **The access road, P23 alignment and crossing against surveyed tree positions, root-protection areas and the approved tree-protection barriers.**
- **The full construction footprint, including finished widths, working space, formation levels, excavation depths, road sub-base, edging or kerb foundations and drainage.**
- **Already-approved tree removals, retained trees requiring pruning, and any additional tree or root disturbance needed for the combined works.**
- **Construction sequencing, machinery access, ground protection, material storage and arboricultural supervision, including any root-sensitive or no-dig methods proposed.**

In his **17 February 2025** response, the Tree Officer withdrew his P23 objection because Condition 23 reserved the detailed route information and requested reconsultation on the future submission. He also emphasised the importance of tree protection before groundworks and construction.

Please explain how the CEMP maintains woodland protection pending agreement of the detailed P23 scheme and how the road crossing and subsequent path works will be coordinated with the AIA4 and ECO9 arrangements required by RES Conditions 4 and 5.

Please also ask the ecologist to reconcile the full construction footprint of the access crossing, P23 improvements, wall demolition and associated clearance with the habitat areas and retention assumptions used in the BNG assessment under **WA/85/26/DOC, Condition 16**. Please identify on a coordinated plan which affected areas are already counted as habitat loss and which are counted as retained. Where additional loss or deterioration is identified, please provide revised calculations and any necessary mitigation or compensation, and explain how the CEMP will protect the woodland relied upon as retained.

I have previously reported [REDACTED], foxes and small-mammal activity in this woodland. Please obtain a site-specific ecological assessment addressing those reports and the CEMP's recorded hazel dormouse evidence in relation to the combined road and path works. This should address clearance, excavation, noise, vibration, lighting, construction fencing and continued access to shelter and foraging habitat. Please identify the necessary working methods, supervision and any licensing requirements, with sensitive sett information supplied confidentially to the Council.

4. CEMP evidence and existing tree-protection requirements

CEMP paragraph 5.7.3 refers generally to standard arboricultural protection. Please identify the specific assessments and working methods covering the wall, foundations, raised ground, access, vegetation clearance and P23 works.

The contents list “**Appendix 4 – Tree Protection Plan**” at printed page 48, but the published replacement Part 1 ends at printed page 47. Please publish the missing appendix or identify precisely where the intended plan is provided. Figure 2 on printed page 6 still shows layout C9_23_38_PL_101_P2, while Part 2 is an annotated construction layout based on C9_26_03_PL_101_P4. Please update Figure 2 and reconcile Part 2 and all relevant biodiversity and tree-protection plans with the approved NMA amended layout **C9_26_03_PL_101_P5**, identifying the drawings and revisions on which the CEMP's risk assessment and working methods rely.

Please explain how the proposed methods comply with **RES Condition 4**, including the specified AIA4 and ECO9 tree-protection arrangements.

Separately, please answer my outstanding **RES Condition 5** compliance enquiry: identify the arboricultural report and supporting photographs, the dates protection was installed and inspected, and whether the evidence demonstrates that the required protection was in place before machinery was introduced.

5. Relevant examples of ADC arboricultural advice

The following examples illustrate the tree Officers approach to access and tree-protection evidence at different application stages:

- **WA/35/23/OUT — Wandleys Lane:** His July 2023 response registered a holding objection over access-related tree loss, seeking access reconfiguration or justification. This was an outline application, subsequently allowed on appeal in April 2025.
- **AL/49/21/DOC — Springfield, Hook Lane:** On 24 June 2021, he withheld support while protective fencing remained incomplete, requiring photographic evidence and a written arboricultural report addressing outstanding matters.
- **BE/16/25/RES — Oldlands Farm:** He recommended refusal in August 2025 for missing arboricultural information, then accepted the additional tree-protection information in his October update.
- **P/98/26/DOC — Pagham Road:** On 17 August 2026, he recommended acceptance of a dedicated arboricultural method statement and **TPP-S278-1 Rev A** for S278 highway improvements and associated drainage works.

These examples support seeking similarly specific assessment, working methods and verification for the woodland works here.

Before determining Condition 17, please obtain the Tree Officer’s and ecologist’s advice, with highway input where necessary to establish the actual construction and visibility-clearance works. Please do not discharge the condition unless the relevant risks and protective measures have been adequately demonstrated through the CEMP and any plans or method statements expressly incorporated into its approved requirements.

Please cross-reference relevant findings to **WA/97/26/DOC, Conditions 26–28**, and **WA/85/26/DOC, Condition 16**, where they affect the drainage proposals or tree and woodland retention assumptions used in the biodiversity assessment.

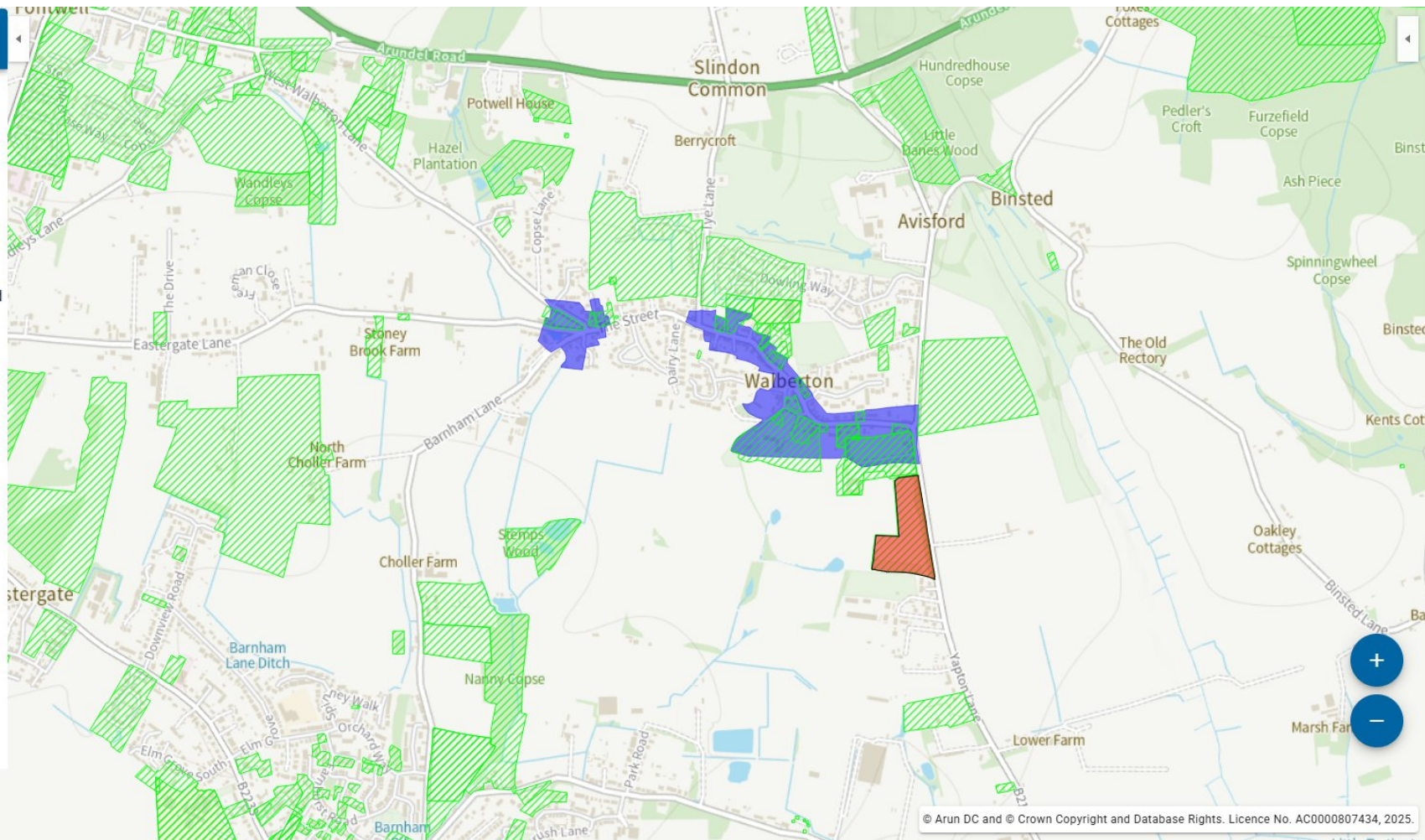
Kind regards,

Martin Downes

Feature Information

Tree Preservation Orders (1 of 1)

TPO Reference	TPO/WA/1/21
Link to Documents	Link
Back to Aruns Website	Link
Note	This layer is created from The Local Land Charges Register. Please be aware trees may no longer be in place. Contact Planning for further details



DOCUMENTS

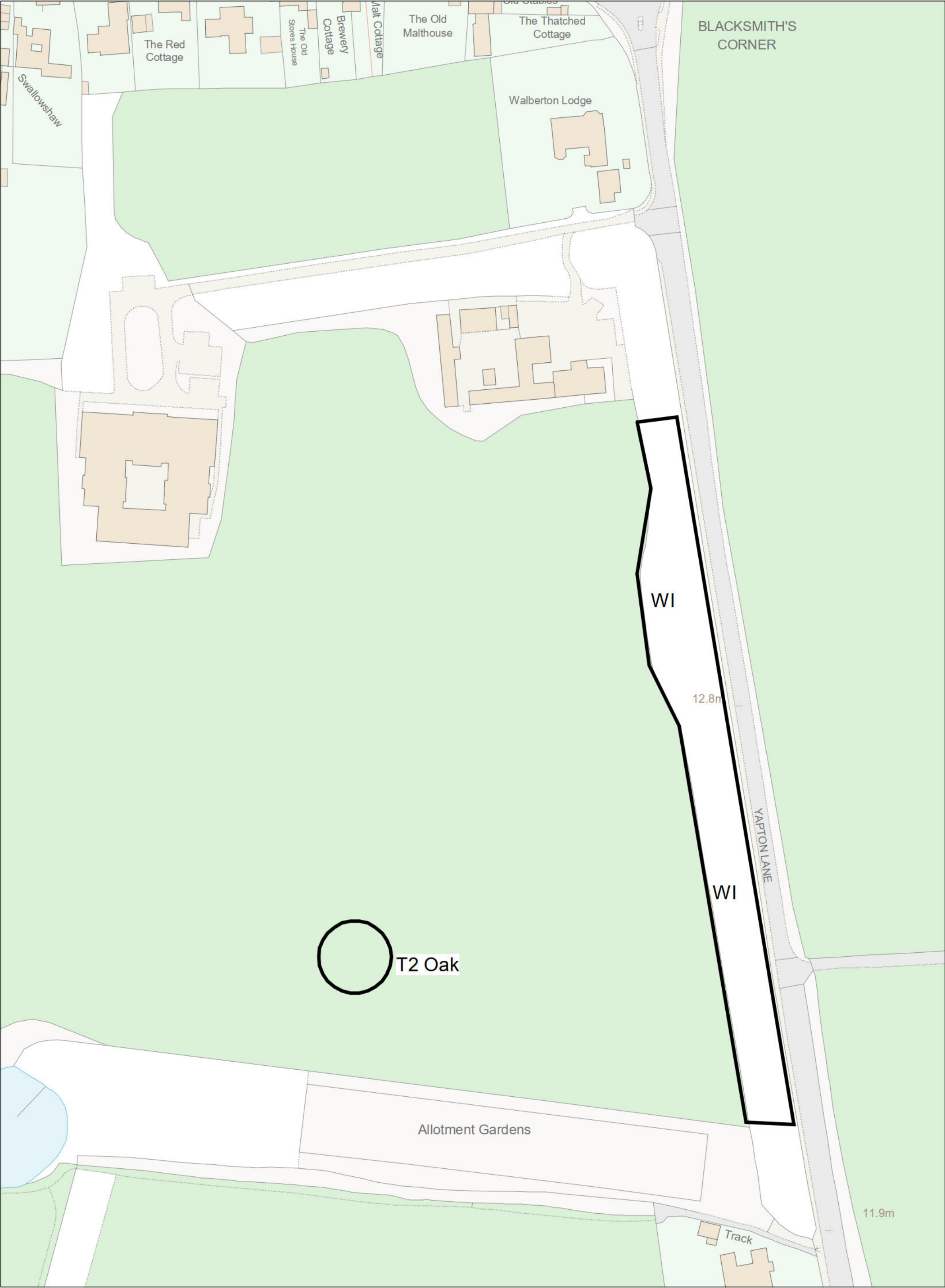
▼

Select by Type

Documents

TPO	02-07-21	TPONOTPLMOD
TPO	02-07-21	TPOORDMOD
TPO	02-07-21	TPOLC2
TPO	02-07-21	TPOMODCON
TPO	02-07-21	TPOMODCON
TPO	02-07-21	TPOMODCON
TPO	25-03-21	Instruction Sheet
TPO	25-03-21	Tempo Sheet T2
TPO	25-03-21	Tempo Sheet W1
TPO	25-03-21	Map
TPO	25-03-21	Schedule
TPO	25-03-21	TPOLC1
TPO	25-03-21	TPONOTPL
TPO	25-03-21	TPOREG
TPO	25-03-21	TPOSITENOT
TPO	25-03-21	TPOOrder
TPO	25-03-21	TPONotice
TPO	25-03-21	TPONotice
TPO	25-03-21	TPONotice

Land W of Yapton Lane, Walberton



Scale 1:1250 @ A3

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Production Date: 07 September 2020

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INSTRUCTION TO PREPARE A TREE PRESERVATION ORDER – SECTIONS 199 & 201

REFERENCE: TPO/WA/1/21

Town & Country Planning Act 1990

Town & Country (Trees) Regulations 1999 (as amended)

Please prepare the necessary documents for the following new provisional Order:

Grounds for Making the Order – The trees form a feature of the area which should be preserved in the interest of public amenity.

Description of Trees and Location:

W1 - Mixed broadleaf deciduous woodland (incl. sycamore, lime, hornbeam)

T2 - Turkey Oak

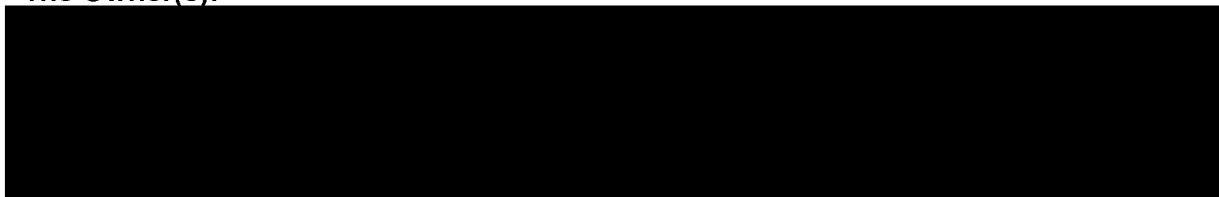
Land W of Yapton Lane, Walberton, W. Sussex, BN18 0AS

A map identifying the tree and a schedule are attached YES

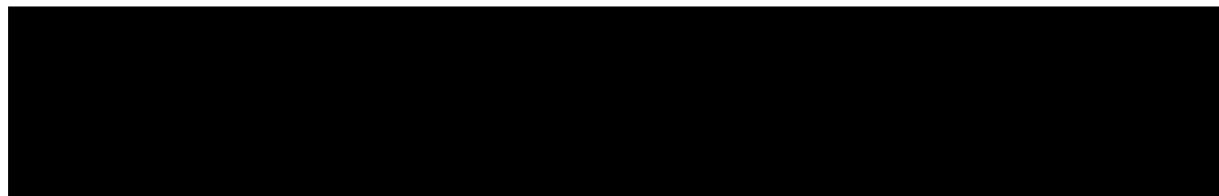
Type of Order – Woodland and Individual

Names and addresses (as far as can be ascertained from enquires):

The Owner(s):



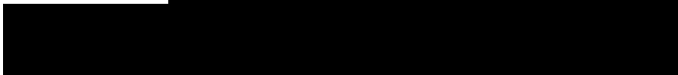
Any other interested parties:



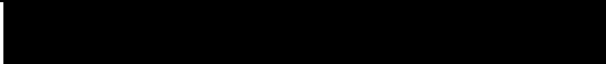
Date on which the notice/letters are to be posted



Planning Officer Signature and date



Team Leader Authorisation to make Order



Manager Authorisation if required

Order Confirmed/Not Confirmed

(Team Leader Manager Signature & Date)

Notice to Land Charges of regarding TPO

For full details view via C-Cubes

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999 As amended by the Town and Country Planning (Trees)(Amendment)(England) Regulations 2008 ARUN DISTRICT COUNCIL

TREE PRESERVATION ORDER

[Click here to view the file on C-Cube](#)

Town and Country Planning Act 1990

TPO/WA/1/21

Individual and Woodland Order

At Land West of Yapton Lane Walberton West Sussex BN18 0AS

This Order was confirmed on 2nd July 2021

Please register as a Local Land Charge.

Related addresses Notified:

34b Barnton Avenue
Edinbrugh
EH4 6JH

24 Tongdean Road
Hove
Brighton
BN3 6QE

Henry Adams LLP
Rowan Way
Baffins Lane
Chichester
PO19 1UA

TPO Details:

W1	X	Various Trees
T2	1 X	Turkey Oak

Notification to Parks and Landscapes regarding a TPO

For full details view via C-Cubes

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Notice to Land Charges of Provisional TPO

For full details view via C-Cubes

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TREE PRESERVATION ORDER

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Town and Country Planning Act 1990

TPO/WA/1/21

Individual and Woodland Order

At Land West of Yapton Lane Walberton West Sussex BN18 0AS

Provisional Order prepared and served on 26-03-21

34b Barnton Avenue
Edinbrugh
EH4 6JH

24 Tongdean Road
Hove
Brighton
BN3 6QE

Henry Adams LLP
Rowan Way
Baffins Lane
Chichester
PO19 1UA

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TPO/WA/1/21

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IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

Town & Country Planning Act 1990 (as amended)

Town & Country Planning (Tree Preservation) (England) Regulations 2012

Tree Preservation Order: TPO/WA/1/21

Tree Preservation Order for W1 Mixed broadleaf deciduous woodland (incl. sycamore, lime, hornbeam) and T2 Turkey Oak

Land West of Yapton Lane Walberton West Sussex BN18 0AS

THIS IS A FORMAL NOTICE to let you know that on 26th March 2021 the Council made the above Tree Preservation Order.

In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule and shown on the map without the Council's consent.

The Council have made the Order because the trees form a feature of the area which should be preserved in the interests of public amenity.

The Order took effect, on a provisional basis on 26th March 2021. It will continue in force on this basis for a further 6 months or until the Order is confirmed by the Council, whichever first occurs.

The Council will consider whether the order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other comments, please make sure the Council receive them in writing by 23rd April 2021. Comments must comply with Regulation 6 of the above Regulations. Send your comments to the address below. All valid objections or representations are carefully considered before a decision on whether to confirm the order is made.

Any representations received will be placed on a file open for inspection by members of the public and they are published on the Arun District Council website. Please ensure that you have only made comments that you are happy to have published in this way. If you have supplied information belonging to a third party, please check that you have their permission to do so.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact Mrs A Gardner, Planning Services, Arun District Council, Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF or by email: planning@arun.gov.uk



Neil Crowther
Group Head of Planning

The Owner and/or the Occupier
34b Barnton Avenue
Edinbrugh
EH4 6JH

25th March 2021

Case Officer: Mrs A Gardner
Telephone: 01903 737529
Email: Anita.Gardner@arun.gov.uk

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Tree Preservation) (England) Regulations 2012
Tree Preservation Order: TPO/WA/1/21 (2021)
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If you would like to make any objections or other comments, please make sure the Council receive them in writing by 23rd April 2021. Comments must comply with Regulation 6 of the above Regulations:

6 - (1) Subject to paragraph (2), objections and representations -

(a) shall be made in writing and -

(i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or

(ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary

course of post, it would be delivered to them not later than that date; .

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and .

(c) in the case of an objection, shall state the reasons for the objection.

(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

Please send your comments either by email to planning@arun.gov.uk clearly quoting TPO/WA/1/21 or in writing to Mrs A Gardner at Planning Services, Arun District Council, Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF.

Any representations received will be placed on an open file open and they are published on the Arun District Council website. Please ensure that you have only made comments that you are happy to have published in this way. If you have supplied information belonging to a third party, please check that you have their permission to do so. If you do not wish your correspondence 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 be disregarded.

All valid objections or representations are carefully considered before a decision on whether to confirm the order is made and you will be informed of the outcome. In the meantime, if you would like any further information or have any questions about this letter, please contact the case officer Mrs A Gardner

I trust this information is of assistance to you.

Yours sincerely



Neil Crowther
Group Head of Planning

PLEASE NOTE: Essential IT work will be carried out during the week of 12 April 2021 and there will be no access to the planning records on the website. It will not be possible to follow the progress of an application, view any documents or make on line comments. To ensure that no one is disadvantaged the publicity period will be extended by a week on planning applications where the publicity period falls over this week. The site notices and documentation will quote the extended date if this is applicable.

All aspects of planning, building control and local land charges will be limited during this week. If you do need to contact the case officer during this week you will need to be able to provide the exact reference number and as much detail as possible. The service will be extremely limited and it would be best to contact us either before 12 April, or after, when the work is completed on 19 April 2021.

For details of how the Council will deal with your data please refer to our privacy notices on the website www.arun.gov.uk/planning-privacy-statements

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://www.arun.gov.uk/planning> and click into Local Planning Application Finder.

25th March 2021

The Owner and/or the Occupier
24 Tongdean Road
Hove
Brighton
BN3 6QE

Case Officer: Mrs A Gardner
Telephone: 01903 737529
Email: Anita.Gardner@arun.gov.uk

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Yours sincerely



Neil Crowther
Group Head of Planning

PLEASE NOTE: Essential IT work will be carried out during the week of 12 April 2021 and there will be no access to the planning records on the website. It will not be possible to follow the progress of an application, view any documents or make on line comments. To ensure that no one is disadvantaged the publicity period will be extended by a week on planning applications where the publicity period falls over this week. The site notices and documentation will quote the extended date if this is applicable.

All aspects of planning, building control and local land charges will be limited during this week. If you do need to contact the case officer during this week you will need to be able to provide the exact reference number and as much detail as possible. The service will be extremely limited and it would be best to contact us either before 12 April, or after, when the work is completed on 19 April 2021.

For details of how the Council will deal with your data please refer to our privacy notices on the website www.arun.gov.uk/planning-privacy-statements

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://www.arun.gov.uk/planning> and click into Local Planning Application Finder.

25th March 2021

Ms E White
Henry Adams LLP
Rowan Way
Baffins Lane
Chichester
PO19 1UA

Case Officer: Mrs A Gardner
Telephone: 01903 737529
Email: Anita.Gardner@arun.gov.uk

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Tree Preservation) (England) Regulations 2012
Tree Preservation Order: TPO/WA/1/21 (2021)
Tree Preservation Order for W1 Mixed broadleaf deciduous woodland (incl. sycamore, lime, hornbeam) and
T2 Turkey Oak
Land West of Yapton Lane Walberton West Sussex BN18 0AS

THIS IS A FORMAL NOTICE to let you know that on 26th March 2021 the Council made the above Tree Preservation Order (A copy of which is attached).

In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule and shown on the map without the Council's consent.

Some explanatory guidance on Tree Preservation Orders is given in the enclosed leaflet, Protected Trees: A Guide to Tree Preservation Orders, produced by the Department of the Communities and Local Government.

The Council have made the Order because the trees form a feature of the area which should be preserved in the interests of public amenity.

The Order took effect, on a provisional basis on 26th March 2021. It will continue in force on this basis for a further 6 months or until the Order is confirmed by the Council, whichever first occurs.

The Council will consider whether the order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other comments, please make sure the Council receive them in writing by 23rd April 2021. Comments must comply with Regulation 6 of the above Regulations:

*6 - (1) Subject to paragraph (2), objections and representations -
(a) shall be made in writing and -*

- (i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or .*
(ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date; .
(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and .
(c) in the case of an objection, shall state the reasons for the objection.
(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

Please send your comments either by email to planning@arun.gov.uk clearly quoting TPO/WA/1/21 or in writing to Mrs A Gardner at Planning Services, Arun District Council, Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF.

Any representations received will be placed on an open file open and they are published on the Arun District Council website. Please ensure that you have only made comments that you are happy to have published in this way. If you have supplied information belonging to a third party, please check that you have their permission to do so. If you do not wish your correspondence 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 be disregarded.

All valid objections or representations are carefully considered before a decision on whether to confirm the order is made and you will be informed of the outcome. In the meantime, if you would like any further information or have any questions about this letter, please contact the case officer Mrs A Gardner

I trust this information is of assistance to you.

Yours sincerely



Neil Crowther
Group Head of Planning

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The Owner and/or the Occupier
34b Barnton Avenue
Edinbrugh
EH4 6JH

2nd July 2021

Case Officer: Mrs A Gardner
Telephone: 01903 737529
Email: Anita.Gardner@arun.gov.uk

Dear Sir/Madam

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

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

Tree Preservation Order: TPO/WA/1/21
Tree Preservation Order for W1 Mixed broadleaf deciduous woodland (incl. sycamore, lime, hornbeam) and T2 Turkey Oak
Land West of Yapton Lane Walberton West Sussex BN18 0AS

I refer to my previous letter notifying you that the Council had made this Order. Any representations made as a result of that letter have been considered before deciding whether or not to confirm the Order.

This Order was confirmed on 2nd July 2021.

This Order has been registered as a Local Land Charge.

The general effect of the Order is to prohibit certain works to the tree/s unless permission for the works has first been obtained from the Council. The Planning Officer can advise of the effects of the Order in detail and how to make applications to the Council to obtain permission to do any works to the tree/s.

This Order may be challenged in the High Court under S 284 and S288 Town and Country Planning Act 1990. An interested person who believes that the Order is not within the powers conferred by the above Act on the Council or that any of the relevant requirements of the law have not been complied with may make such a challenge which must be made within 6 weeks of the confirmation of the Order.

If any letters of objection have been received regarding any of the trees covered by the Order, the comments will have been summarised and considered in the form of a report which is available for inspection via our website. Go to <https://www.arun.gov.uk/tpo> and scroll down to the Tree Preservation Order Search and enter the reference as indicated.

I enclose a copy of the appendix confirming the order.

I trust this information is of assistance to you.

Yours sincerely



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Group Head of Planning

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The Owner and/or the Occupier
24 Tongdean Road
Hove
Brighton
BN3 6QE

2nd July 2021

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Telephone: 01903 737529
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ARUN DISTRICT COUNCIL
TREE PRESERVATION ORDER

Town & Country Planning Act 1990 (as amended)

Town & Country Planning (Tree Preservation) (England) Regulations 2012

Individual and Woodland Order at Land West of Yapton Lane Walberton West Sussex BN18 0AS
TPO/WA/1/21

Appendix to Provisional Tree Preservation Order made on 26th March 2021

CONFIRMATION OF ORDER

This Order was confirmed by the Arun District Council without modification on the **2nd July 2021**



Neil Crowther
Group Head of Planning

Authorised by the Council to sign in that behalf

Tree Preservation Order Register

Reference TPO/WA/1/21

Tree Preservation Order for W1 Mixed broadleaf deciduous woodland (incl. sycamore, lime, hornbeam) and T2 Turkey Oak

Land West of Yapton Lane Walberton West Sussex BN18 0AS

W1	X	Various Trees
T2	1 X	Turkey Oak

Date Provisional Order Served: 26-03-21

Date Confirmed

ARUN DISTRICT COUNCIL
TREE PRESERVATION ORDER

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

Individual and Woodland Order for: Tree Preservation Order for W1 Mixed broadleaf deciduous woodland (incl. sycamore, lime, hornbeam) and T2 Turkey Oak

at Land West of Yapton Lane Walberton West Sussex BN18 0AS

Our Reference: TPO/WA/1/21 (Year 2021)

The ARUN DISTRICT COUNCIL in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 hereby make the following Order

Citation

1. This Order may be cited as Individual and Woodland Order for Tree Preservation Order for W1 Mixed broadleaf deciduous woodland (incl. sycamore, lime, hornbeam) and T2 Turkey Oak at Land West of Yapton Lane Walberton West Sussex BN18 0AS

TPO/WA/1/21 (Year 2021)

Interpretation

2. (1) In this Order "the authority" means the ARUN DISTRICT COUNCIL
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall -
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of, any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated the 26th Day of March 2021

Signed on behalf of Arun District Council

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish.

Neil Crowther
Group Head of Planning

Authorised by the Council to sign in that behalf

SCHEDULE**SPECIFICATION OF TREES**

Trees specified individually
(encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
T2	Turkey Oak	

Trees specified by reference area
(within a dotted black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
-------------------------	--------------------	-------------------

Groups of Trees
(within a broken black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
-------------------------	--------------------	-------------------

Woodlands
(within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
-------------------------	--------------------	-------------------

W1 - Mixed broadleaf deciduous woodland (incl. sycamore, lime, hornbeam)

**Complete if necessary to specify more precisely the position of the trees.*

Primary Address
Land W of Yapton Lane, Walberton, W. Sussex, BN18 0AS
Secondary Addresses

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 3rd September 2020

Surveyor: Mark Warwick / Tree Officer, Parks and Greenspace Team

Tree details

Tree/Group No: T2

Species: Turkey oak / *Quercus cerris*

Location: Land W of Yapton Lane, Walberton, W. Sussex, BN18 0AS

OS Map ref: E 497543 N 105441

Part 1: Amenities assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

Score & Notes

3

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

Score & Notes

4

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes

5

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | |
|--|
| 5) Principal components of arboricultural features, or veteran trees |
| 4) Tree groups, or members of groups important for their cohesion |
| 3) Trees with identifiable historic, commemorative or habitat importance |
| 2) Trees of particularly good form, especially if rare or unusual |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) |

Score & Notes

1

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- | |
|-------------------------------|
| 5) Immediate threat to tree |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree |
| 1) Precautionary only |

Score & Notes

1

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

14

Decision:

TPO defensible

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 3rd September 2020

Surveyor: Mark Warwick / Tree Officer, Parks and Greenspace Team

Tree details

Tree/Group No: Woodland 1

Species: Mixed broadleaf deciduous (incl. sycamore, lime, hornbeam)

Location: Land W of Yapton Lane, Walberton, W. Sussex, BN18 0AS

OS Map ref: E 497654 N 105639 – E 497695 N 105380

Part 1: Amenities assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

Score & Notes

3

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

Score & Notes

5

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c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes

4

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | |
|--|
| 5) Principal components of arboricultural features, or veteran trees |
| 4) Tree groups, or members of groups important for their cohesion |
| 3) Trees with identifiable historic, commemorative or habitat importance |
| 2) Trees of particularly good form, especially if rare or unusual |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) |

Score & Notes

4

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- | |
|-------------------------------|
| 5) Immediate threat to tree |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree |
| 1) Precautionary only |

Score & Notes

5

Part 3: Decision guide

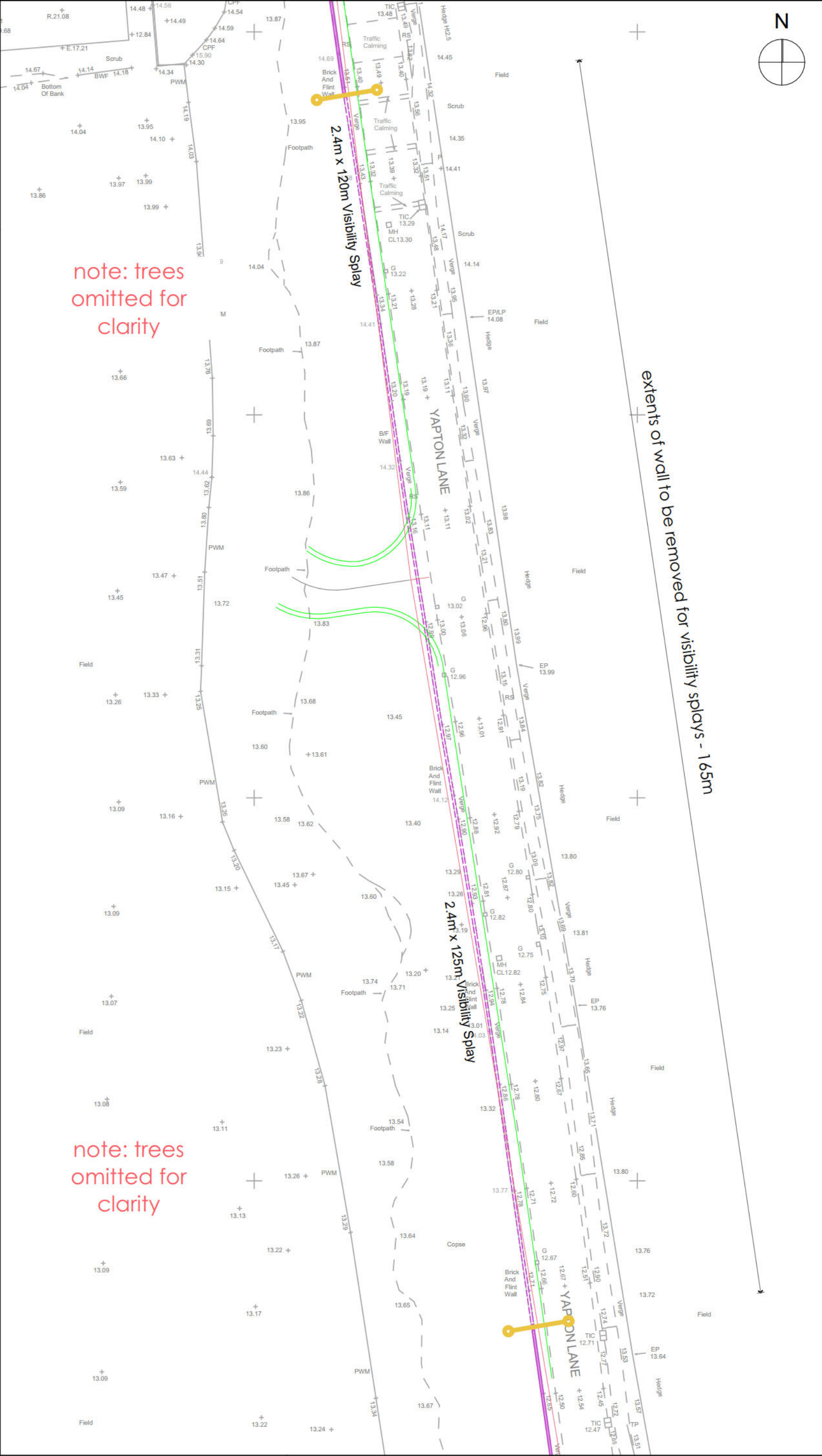
- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

21

Decision:

Definitely merits TPO



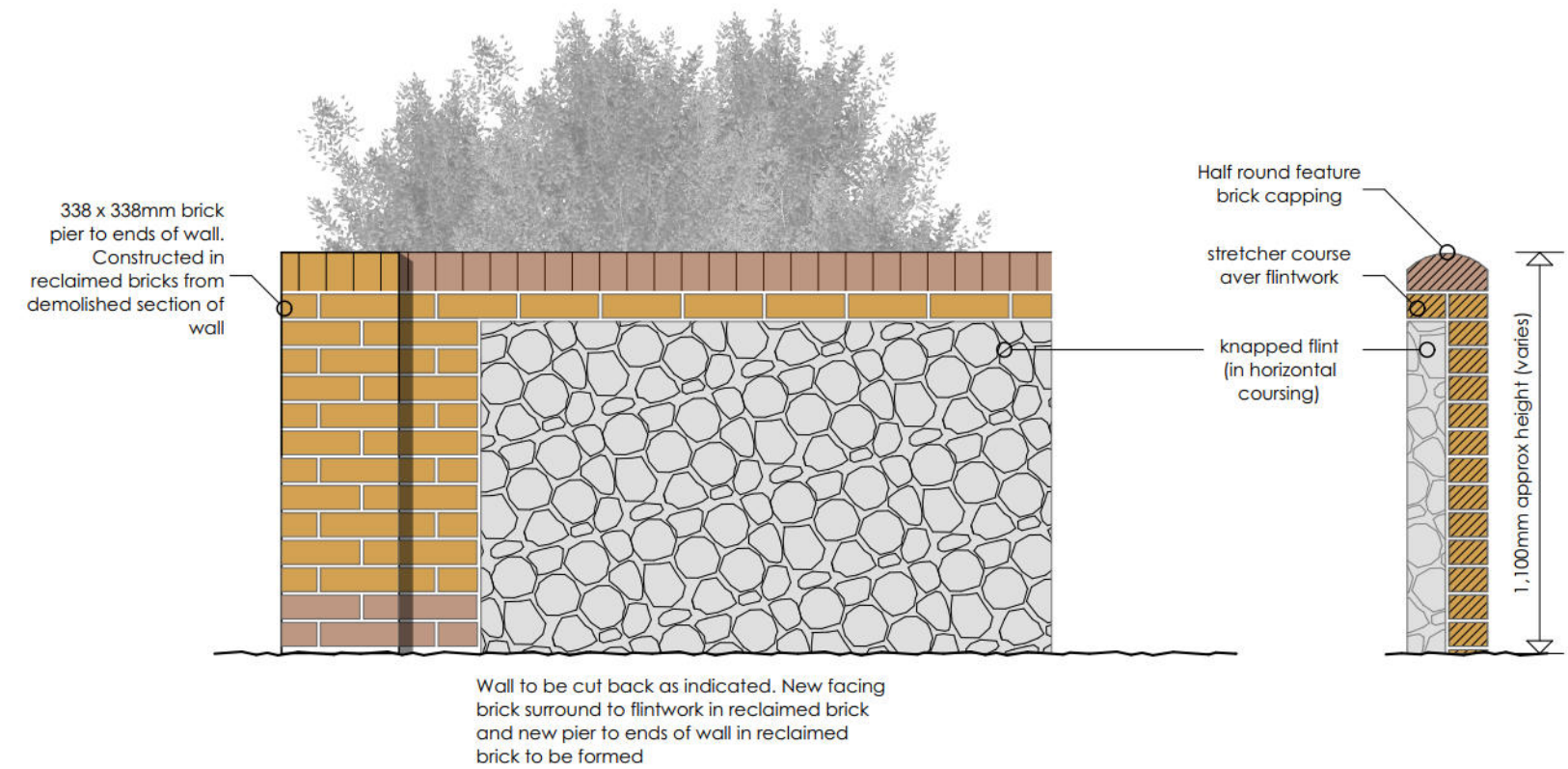
APPROVED SITE ACCESS | PROPOSED 1:500@A1



LOCATION PLAN | PROPOSED 1:2000@A1

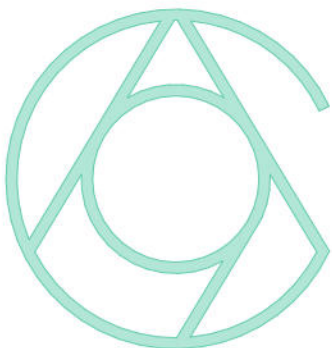


PHOTO OF EXISTING BRICK & FLINT WALL | AS VIEWED NORTH OF APPLICATION SITE



BRICK AND FLINT WALL | PROPOSED REMEDIAL WORKS TO ENDS 1:20@A1

- POINT OF BREAKING EXISTING WALL
- VISIBILITY SPY AS APPROVED ACCESS DRAWING
- EXTENTS OF EXISTING WALL TO BE RETAINED
- EXTENTS OF EXISTING WALL TO BE DEMOLISHED



CLOUD 9 ARCHITECTURE

Land West of Yapton Lane | Walberton

(E) enquire@cloud9architecture.co.uk (M) www.cloud9architecture.co.uk

Drawing Title | Access Proposals

Drawing No | C9_23_38_PL_EW_601

Scale | VARIES@A1 Date | DEC 24 Drawn | IRS

Note: these drawings are prepared for information purposes only



View looking South along Yapton Lane — proposed access frontage on the right.



Proposed site entrance



Photograph reproduced from EW601
- wall north of the application site.

WA/98/26/DOC

Condition 17

Proposed access:

**Existing frontage
& tree protection**

Related permission:

WA/2/22/OUT

WA/52/24/RES

WA/89/26/NMA

Read alongside
documents:

C9_23_38_PL_EW_601

TPO/WA/1/21



P23 woodland route

Existing path at the proposed vehicle access crossing woodland W1 — TPO/WA/1/21