Adur District Council

Planning, Regeneration and Wellbeing

Mr Shane Jones
Mr Tree
35 West Avenue
Worthing
West Sussex
BN11 5LT

CONSENT UNDER TREE PRESERVATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (TREES) REGULATIONS 1999 (AS AMENDED)

APPLICATION NUMBER: AWDM/0308/13

On behalf of: Mr David Mortimer

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby CONSENT to the following works that is to say:

Application for consent under Tree Preservation Order No.162/2/77(L) to fell two Holm Oak (T11 and T13) and to replant (for T13) one Dawyck Beech; and to crown thin by 15% one Holm Oak (T15), to thin by 15% over the highway one Holm Oak (T10), and to reduce crown spread/growth to the southern aspect over neighbouring property by 2-3 metres and reduce weight by 25% on higher sections on one Holm Oak (T14) - all in front garden.

41 Mill Road Lancing West Sussex BN15 0PZ

to be carried out in accordance with Plan and Application No. AWDM/0308/13 (as modified by the under-mentioned conditions, if any) submitted to the Council on 14/03/2013 subject to compliance with the conditions specified hereunder.

James Appleton
Executive Head of Planning, Regeneration and Wellbeing
Date: 07/06/2013

PTO

ADUR DISTRICT COUNCIL
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SCHEDULE

Conditions

01. Before the tree works forming this consent are commenced, the applicant shall undertake a Bat survey in consultation with West Sussex County Council's Ecologist and no such works shall commence unless and until the results of the Bat survey are known and any recommendations made by West Sussex County Council in that regard are met.

    Reason: *Bats are a protected species under The Conservation (Natural Habitats, etc. Regulations (2010).*

02. Upon the felling of the Holm Oak tree T13 hereby permitted, a replacement tree of a size and species and in a position approved in writing with the Local Planning Authority shall be planted. If, within 5 years following replanting, the replacement tree dies or becomes seriously diseased another tree of a similar size and species and in a similar position shall be planted during the next planting season following the removal of the replaced tree, unless the Local Planning Authority gives written approval to any variation.

    Reason: *To safeguard the character and visual amenities of the area.*

03. The remedial tree surgery works to the Holm Oak trees T10, T14 and T15 hereby permitted shall be restricted to those specified in this application, only, unless otherwise agreed in writing with the Local Planning Authority, and carried out in accordance with the British Standard BS 3998 : 2010 Tree Work - Recommendations, namely:

    T10 - Holm Oak in north-eastern part of the front garden:

    Crown thin by 15% over the highway, to growth points.

    T14 - Holm Oak south side of the driveway and adjacent to southern boundary:

    (a) Reduce the crown spread/growth to the southern aspect over the neighbouring property by 2 - 3 metres, to growth points; and

    (b) Reduce weight by 25% on higher sections, to growth points.

    T15 - Holm Oak south-eastern corner of the front garden, south side of driveway:

    Thin the canopy by 15%.

    Reason: *To safeguard the character and visual amenities of the area.*

04. The felling of Holm Oak trees T11 and T13, the surgery to Holm Oak trees T10, T14 and T15 and the replanting for T13 shall be carried out within 24 months from the date of this consent.

    Reason: *In the interests of visual amenity.*

PTO

Informatives / Notes to Applicant

01. The applicant is advised to contact Don Baker or Graham Roberts at West Sussex County Council with regard to the Bats survey to which Condition 1 of this consent relates. A licence may be required from Natural England before works can commence. Contact details: don.baker@westsussex.gov.uk - telephone 01243 756691; or graham.roberts@westsussex.gov.uk - telephone 01243 777227.

02. Breeding birds

    The applicant is advised that all breeding birds are protected under the Wildlife and Countryside Act 1981. Should birds be nesting in the trees and might reasonably be expected to be disturbed or nest destroyed works must be delayed until the fledglings have left the nest. Ideally works affecting trees should be left until the autumn and winter period avoiding the bird breeding season March to August.

03. You are strongly advised to ensure that the tree surgeon carrying out the work is made aware of the above conditions. Should the works carried out exceed that which is permitted, then it may be open to the Local Planning Authority to take prosecution action against the owner of the tree(s) and the tree surgeon. If the applicant is unclear about any aspect of the specification for works, they are strongly advised to contact the Council's Arboricultural Officer prior to the commencement of the works.

04. The applicant's attention is drawn to the provisions of the Countryside & Rights of Way Act 2000. Under the Act, it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at 15, Cloisters, 8, Battersea Park Road, London, SW8 4BG. Their telephone number is 020 7627 2629.