Planning Inspectorate

Appeal Decision

Site visit made on 31 July 2026

by G Harding MSc (Forestry), MicFor, MArborA

an Inspector appointed by the Secretary of State

Decision date: 22 September 2026

Appeal Ref: APP/TPO/M3835/11196
2 Hall Avenue, Offington, Worthing, West Sussex, BN14 9BH

- The appeal is made under regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 against a refusal to grant consent to undertake work to a tree protected by a Tree Preservation Order (TPO).
- The appeal is made by Mrs Niki Peters against the decision of Worthing Borough Council.
- The application Ref: AWDM/0247/26, dated 24 February 2026, was refused by notice dated 23 April 2026.
- The work proposed is fell and replace one sycamore tree T2.
- The relevant TPO is Tree Preservation Order, No 21 of 2004 – Nos. 90 Offington Avenue and 2 Hall Avenue Worthing, which was confirmed on 26 January 2005.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are: the effect of the felling of the tree on the character and appearance of the area; and whether sufficient justification has been demonstrated for the proposed felling.

Reasons

3. Turning to the first main issue, the tree is a large and mature specimen which grows within the garden of 2 Hall Avenue and which is visible from Hall Avenue as well as Offington Avenue to the south. The tree makes a positive contribution to the landscape of the area and to its character and appearance.

4. Given the importance of the tree in the landscape, the proposed felling would be of significant detriment to the character and appearance of the area. Thus, any reasons given to justify the felling of the tree need to be convincing. It is to those reasons, the second main issue, to which I now turn.

5. The tree is clearly contributing to the damage of a nearby low wall and I accept that its presence would make any repairs more difficult and may reduce the durability and longevity of any such repairs. Furthermore, given the proximity of

the tree to the wall, it may be necessary to leave a gap in the wall adjacent to the tree when repair work is undertaken.

6. However, and whilst noting the damage caused, I consider that the removal of the tree would be a disproportionate action when options to repair or replace the wall in some form are likely to be available. Trees in urban areas are often in conflict with built structures, but tree removal should be a last resort, especially when the tree could live for several more decades and acknowledging the value of such trees in urban landscapes. I accept that leaving a gap may detract from the visual appearance offered by the continuity of the wall, which spans across several properties; however, in my opinion, the loss of the tree would have a far greater impact on the amenity of the area.

7. I note the appellant has been in contact with the council highway department regarding the current state of the wall, but in my opinion the risk posed is modest, given the low height of the wall. Furthermore, options to reduce any such risk are available without removal of the tree, as outlined above.

8. I recognise the willingness of the appellant to replace the tree with a new one. However, any replacement tree would take many years to reach the same stature and to reinstate a similar level of visual amenity. As such, replacement planting would not be sufficient to mitigate the harm I have identified.

9. With any application to carry out works to protected trees, a balancing exercise needs to be undertaken. The essential need for the works applied for must be weighed against the resultant loss to the amenity of the area. In this case, the felling of the tree would result in significant harm to the character and appearance of the area and, in my judgement, insufficient justification has been demonstrated for its proposed felling.

10. Accordingly, for the reasons set out above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Glen Harding

INSPECTOR