ADUR DISTRICT COUNCIL

Mr Isaac Lesser
Maplewood Tree Surgery
140 Hollingdean Terrace
Brighton
BN1 7HE
United Kingdom

REFUSAL UNDER TREE PRESERVATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990
The Town and Country Planning (Tree Preservation) (England) Regulations 2012

APPLICATION NUMBER: AWDM/0378/23

Details of Development
APPLICATION FOR CONSENT UNDER ADUR TREE PRESERVATION ORDER NO.13.53/1/93 (SU) OF 1993 TO FELL AND REPLACE ONE YEW TREE T13.

Location of Development
LITTLE RAVENS MILL LANE SHOREHAM-BY-SEA WEST SUSSEX BN43 5AG

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they REFUSE to consent to the above works, in accordance with the application and relevant correspondence registered on 13th March 2023.

The reasons for the Council's decision to refuse the above works are specified hereunder.

G Peck

Gary Peck
Planning Services Manager
15/05/2023

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

SCHEDULE

Reasons for Refusal

01. The Yew tree T13 is a prominent and established feature, which contributes positively to local character and landscape of the area, and its removal would be detrimental. There is no arboricultural or other acceptable reason provided which would justify the loss of this tree, as the possibility of repairing the wall without felling the tree has not been explored. Having regard to the maturity and stature of the tree and its prominence within the street scene, its removal is refused pending further evidence.

02. For the avoidance of doubt this refusal relates to the following drawings/plans:-

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Reference/Drawing Number	Version	Date Rec
SOUTH DOWNS FLINT LTD	Letter of support	13.03.2023
TPO EXTRACT PLAN		13.03.2023

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YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT

Appeals to the Secretary of State

1. Where an application is made to the authority for consent under the Order and that consent is refused by that authority or is granted by them subject to conditions, or where any certificate or direction is given by the authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate, or the person directed if he is aggrieved by the direction, may by notice under this section appeal to the Planning Inspectorate.

2. A notice under this section shall be served in writing within twenty-eight days from the date of notification of the decision, certificate or direction, as the case may be, or such longer period as the Planning Inspectorate may allow. Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

3. Where an appeal is brought under this section from a decision, certificate or direction of the authority, the Planning Inspectorate, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or cancel or vary any direction, and may deal with the application as if it has been made to him in the first instance.

4. Before determining an appeal under this section, the Planning Inspectorate shall, if either the appellant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Planning Inspectorate for the purpose.

5. The decision of the Planning Inspectorate on any appeal under this section shall be final.

6. Where this notice conveys approval or permission, conditional or unconditional, please note that the decision given does not purport to convey any consent or approval which may be required under the Building Act and Building Regulations, or any other legislation.

7. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.