ADUR DISTRICT COUNCIL

Mr Stephen Duance
South Coast Tree Care
20A Windlesham Gardens
Shoreham By Sea
West Sussex
BN43 5AD

REFUSAL UNDER TREE PRESERVATION ORDER

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

APPLICATION NUMBER: AWDM/1719/21

Details of Development
APPLICATION FOR CONSENT UNDER ADUR TREE PRESERVATION ORDER NO.13.53/1/05/SW OF 2005 TO FELL AND REPLACE ONE MACROCARPA TREE T1.

Location of Development
14 SOUTHDOWN ROAD SOUTHWICK BRIGHTON WEST SUSSEX BN42 4FT

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 September 2021.

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

GPeck

Gary Peck
Planning Services Manager
03/11/2021

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 Macrocarpa tree is a prominent and established feature which makes a positive contribution to the character of the area and adjacent Southwick Conservation Area and its removal would therefore be detrimental to the visual character of the area. It is not considered that a sufficient arboricultural reason has been provided to justify the felling of the tree and accordingly the proposal fails to comply with policies 15 and 30 of the Adur Local Plan 2017.

Notes to applicant

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

Reference/Drawing Number	Date Rec
TREE LOCATION SKETCH	13.09.2021

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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.