From: [redacted]
Date: Thu, 12 Nov 2026 at 13:37
Subject: AWDM/1285/26
To: <planning@adur-worthing.gov.uk>

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Sir/Madam,

please find attached my OBJECTION to the above proposal for a Lawfulness Certificate.

Please redact my name and address.

Sincerely,

[redacted]

[redacted]

5 November 2026

Mr Gary Peck

Planning Department

Worthing Borough Council

Dear Sir,

Re: Planning Application AWDM/1285/26 – Certificate of Lawfulness for tree planting

Land South East Corner Of Amberley Drive Marine Drive West Sussex

With regards to the above application, I would like to **OBJECT** to the Tree Planting for the following reasons:-

First, regarding the application form:

Grounds for Application –

Mr Dixon states that 90% of the Site has been cleared. This has been done illegally with no permission. Had Mr Dixon already carried out a Biodiversity Survey? What happened to the nesting birds and small mammals when he decimated the area in February 2024?

Mr Dixon states proposed planting – why then has he already planted a variety of trees? (see attached photos) This planting/land clearing is also contrary to the Article 4 Direction WBC02.

Why does the Plan attached to the application NOT show his existing planting?

Mr Dixon states a boat with planting will be situated on the corner of Amberley Drive (west) and Marine Drive – this has the potential to be a road traffic hazard blocking the view to the east when exiting Amberley Drive.

This is an application under section 192 of the Town and Country Planning Act 1990. The Council must be satisfied, on the information provided, that the use or operations described in the application would be lawful if instituted or begun at the date of the application. If that test is not met, the certificate must be refused.

Use Class – Stated as C3

This is clearly incorrect, there have never been houses or foundations on the site, or indeed on the whole of the Gap. The land is agricultural, albeit left fallow. Ferring Historical books show this to be the case.

Ownership

Mr Dixon states he is the owner, he is not! The Site is owned by Mr James Dixon and Denton's Pensions.

OBJECTION REASONS

Mr Dixon has made no approach to the Residents of Goring and Ferring to explain his proposals. No public Q & A. Nor can anyone contact him as his link does not work. This does not sit well with his "Community facility".

With the outstanding Appeal Decision on application AWDM/0737/26; and a Decision on the current AWDM/1248/26 for a Barn it is hard to 'see' exactly what Mr Dixon is planning. The mishmash of a variety of applications is merely a ploy by Mr Dixon to bore people so they will not object.

However, there is NO ARBORICULTURIST REPORT attached to this application detailing what trees are specified for this proposal.

There is NO survey of the surrounding Trees in the Plantation and any conflict with new planting that might occur.

How does tree planting, potentially blocking the South Downs View, align with the Local Plan Protected Green Gap? Indeed, Mr Dixon has boasted of the beautiful views from Highdown and the view back to Highdown from the Gap. (see attached photos) Why would he want to spoil this view.

Some of the planting is shown on land that may flood according to the Flood Risk Assessment in Application AWDM/0737/26, will this be mitigated? After a rainy period the field immediately to the west of Amberley Drive sits under water for some considerable time (weeks). Obviously with the Site being grassed and previously left wild it is difficult to see if the Site field floods. Parts of Marine Drive itself have extensive 'puddles' where water drains too slowly. As clearly shown in pictures in the Flood Risk Assessment. Mr Dixon states (AWDM/1248/26) drainage will be to 'Existing Water Course', where is this? Where is it shown on the drawing?

A review of public sewer records identified the presence of several sewers around the site under Marine Drive and Amberley Drive. How will Mr Dixon mitigate any root invasion problem on the existing sewers? Would a legally binding agreement be sought with regard to any damage?

The Plantation (and Goring Hall)

The previous owners dedicated this to the Corporation free of cost, as they consider this belt of woodland is, with the Avenue, the finest feature of the Estate, and should be preserved for all and that both in the interests of the future residents on the estate and of the general public, it should be vested in the Local Authorities.' The largest planting of Quercus Ilex in the world is here.

Councils have been advised that indiscriminate tree planting results in a NET LOSS of biodiversity. Thus, the need for careful consideration of something, seemingly 'innocuous', as this application. The type of tree/s proposed has not been mentioned.

Invasive non-native species (INNS) planting is one that has a negative impact on the environment. These plantings can introduce non-native species into the area. Will the trees be BIO-SECURE?

Ancient woods and trees, in particular, are some of our most valuable natural assets. They are irreplaceable and home to many vulnerable and threatened species.

Worthing Urban Greening TAN June 2026

• development in locations affected by heat risk, surface water flooding, coastal exposure or water quality pressures.

2.11 The application of this TAN relies on planning judgement. The councils will assess urban greening proposals having regard to site context, adopted policy objectives, proportionality and deliverability, rather than against predetermined numerical standards.

2.12 Urban greening guidance should be applied proportionately having regard to the nature, scale, location and constraints of the proposal.

2.15 Planning judgement remains essential.

3.04 Early consideration should include an understanding of the site's existing environmental characteristics, including microclimate, exposure, topography, soil conditions, flood risk, existing vegetation, watercourses, surrounding urban form and opportunities for ecological connectivity.

3.05 Applicants should demonstrate how the proposed layout and massing have been informed by urban greening objectives, particularly where development intensity is high or where the site is subject to climate-related risks such as overheating or surface water flooding.

3.10 Applicants should avoid treating urban greening as a residual component introduced after key design decisions have been made. Proposals that rely predominantly on narrow strips of planting, isolated planters or areas with no clear function or management strategy are unlikely to be supported unless clearly justified by site constraints.

3.11 Urban greening proposals should be intentional, coherent and capable of delivering meaningful benefits over time, rather than serving a purely decorative purpose.

3.13 Greening should be integrated with layout, massing, access, sustainable drainage, public realm and long-term management considerations.

4.08 Applicants should have regard to relevant arboricultural standards and guidance applicable to the proposal at the relevant time, **including BS 5837** and relevant urban tree guidance. Adur & Worthing Technical Advice Note – Urban Greening 8

5.06 Supporting information should be clear, focused and consistent with other environmental information submitted with the application.

5.07 Depending on the nature and scale of the proposal, relevant information may include: • site layout plans showing existing and proposed greening • landscape or public realm plans identifying greening features • sections or details showing soil depth, levels, rooting volumes or planting zones where relevant.

BS5837 – where are the following requirements:- tree survey and a Tree Constraints Plan (a scale drawing showing all relevant Arboricultural features within and adjacent to the site) produced prior to architects' drawings can often **prevent costly amendments** and delay in the planning process. It is essential to consider trees at the start of a project.

- BS5837 Tree Survey
- Production of Tree Constraints Plan
- Arboricultural Impact Assessment (AIA)
- Arboricultural Method Statements (AMS)

Destruction of Open Habitats: Planting trees in naturally open areas like savannas, prairies, or heathlands destroys unique sunlight-dependent flora, including native grasses, wildflowers, mosses, and heather.

Displacement of Wildlife: Many animals—such as ground-nesting birds, grassland-adapted mammals, and specialized insects—rely on open or low-cover landscapes. Increased canopy cover removes their native habitat and hunting or basking grounds.

Coastal winds are laced with fine salt droplets that arise from ocean spray. When this salty mist settles on a tree, several things happen.

Physical deformities are common in exposed areas. Salt not only dries and desiccates tender plant tissues, it acts almost as an invisible pruning tool, restricting

growth on the coast-facing side. Over years, crowns grow bent and asymmetrical, Trees that evolved near seashores, such as Holm Oak or Monterey Pine, have adaptations that allow them to endure even harsh blasts. However, even the hardiest species show signs of wear when the air remains salty year-round. become thickened, and canopies develop a windswept look.

In extreme cases, **salt intrusion can cause outright tree death. Numerous cases on the UK coastline showcase areas where only the most resilient species survive,** while less tolerant trees suffer from thin canopies and patchy, stunted appearances.

There are few trees at the south end of the Gap because of the winds. Only this last October the two storms we had took down at least 6 trees along Sea Lane, Ferring. The south end of The Plantation has a few trees with stunted growth, leaning inland.

Planning History

AWDM/0394/24, concerning a proposed storage container, which was refused and dismissed on appeal

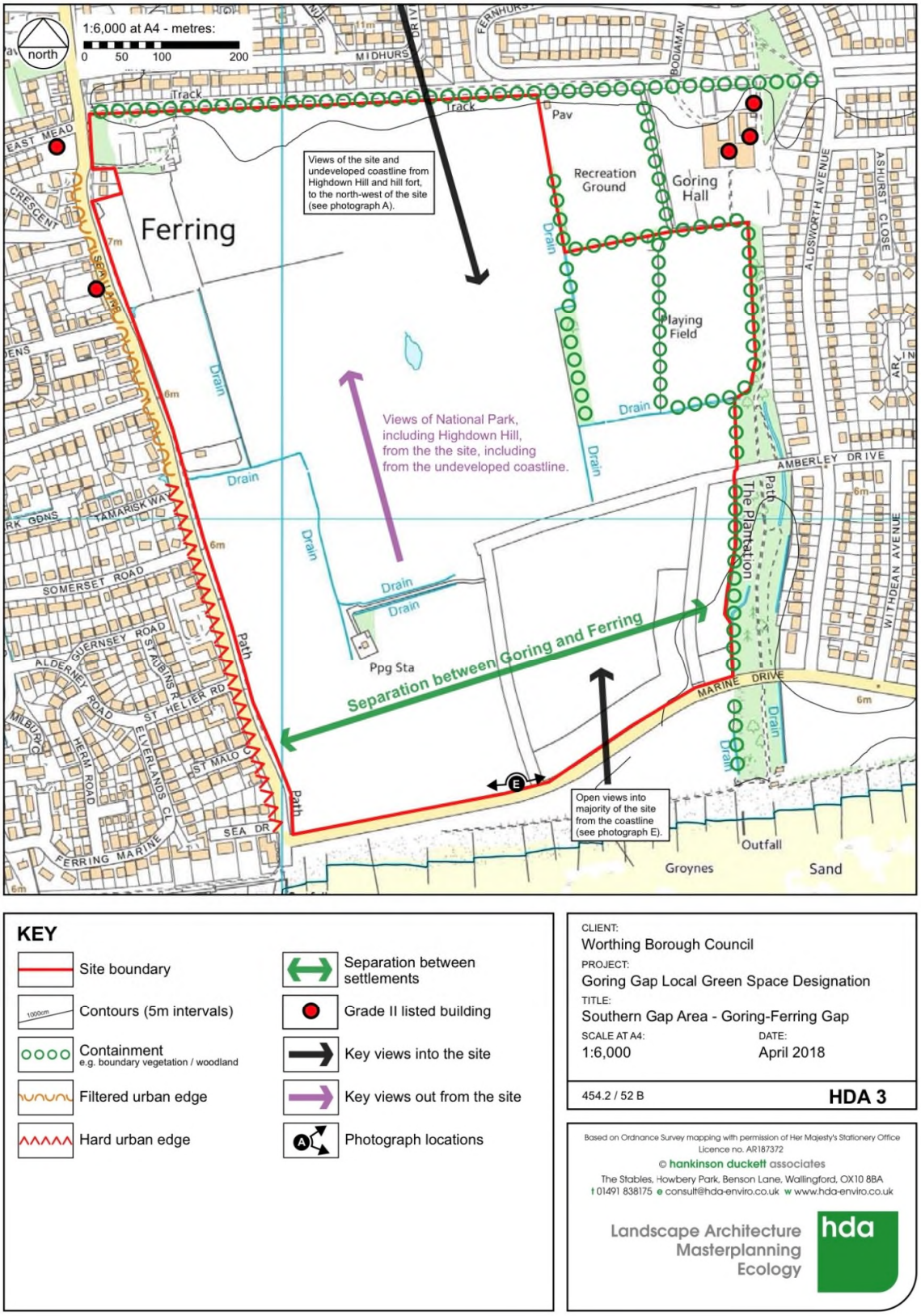
AWDM/0737/26, the wider commercial and leisure proposal which the Council refused. Presently under appeal.

AWDM/1248/26, for the tractor barn, is also part of the site's current planning context.

AWDM/0099/24, The sandpit remains part of the applicant's description, despite the earlier refusal and appeal dismissal of a proposal involving a sandpit, gazebos and concessions.

For the reasons above I respectfully request that this application for Lawfulness is REFUSED.

[redacted]



WBC – Goring Gap Plan showing the viewpoints



Corner Amberley Drive (west) and Marine Drive, new trees obscure vision



View towards Highdown



New Tree planting

