Adur District Council

Planning, Regeneration and Wellbeing

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/0776/16

Details of Development
APPLICATION FOR CONSENT UNDER ADUR TREE PRESERVATION ORDER NO. 13.53/1/94/(SU) OF 1994 TO FELL AND REPLACE ONE SYCAMORE TREE T1.

Location of Development
22 WINDLESHAM GARDENS SHOREHAM-BY-SEA WEST SUSSEX BN43 5AZ

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 19th May 2016.

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

G Peck

Gary Peck
Planning Services Manager
13/07/2016

SCHEDULE

Reasons for Refusal

01. The proposed felling of this prominent tree, which is an established feature of the Area, would be detrimental to the character and visual amenities of the area. The tree is not a barrier to use of the surrounding gardens, and car parking area, and other works could be considered. This is not an acceptable reason to fell protected trees.

Reason: *In the interest of visual amenity.*

INFORMATIVES

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

Reference/Drawing Number	Version	Date Rec
TREE LOCATION PLAN		19.05.2016

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

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 give 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 on a form obtainable from the Planning Inspectorate at Temple Quay, 2 The Square, Temple Quay, Bristol BS1 6PN or online at https://acp.planninginspectorate.gov.uk

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.