Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/07/1003/TPO

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS 1969 (AS AMENDED)

Nigel Fleming
Lynhay
Cherry Walk
Worthing
West Sussex
BN13 3BA

PROPOSAL: Application for consent under Worthing Tree Preservation Order No. 34 of 1998 to crown lift to 5 metres, reduce south-westerly limb by up to 1.5 metres and reduce remaining crown spread by up to two metres to Ash tree, T1; and consent under Worthing Tree Preservation Order No. 68 of 2001 to reduce side branches of Common Hazel, T3.

LOCATION : Lynhay Cherry Walk Worthing

DATE REGISTERED 10th August 2007

APPLICANT : Nigel Fleming

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing No. DC/TPO/34/1998, which accompanied the application, or as subsequently amended prior to consideration, is to

GRANT CONSENT subject to the following conditions:-

1. The extent of remedial pruning works to the Ash and Hazel trees, respectively, shall be restricted to the following maximum only, unless otherwise agreed in writing with the Local Planning Authority;

   (1) Ash, T1 under the Worthing Tree Preservation Order No. 34 of 1998:

   (a) Crown lift to 5 metres, by the removal of the lower secondary branches uniformly to 5 metres above the existing site ground level, to growth points;

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Dated : 17th September 2007

Assistant Director (Planning Services)

(b) Reduce the south-westerly limb towards No. 12 West Way, by up to 1.5 metres, to growth points;

(c) Reduction of the remaining side branches, uniformly, by up to one metre all round, to achieve an overall reduction in the tree's crown spread by up to two metres, to growth points; and

(d) Clean out the crown by the removal of dead and diseased branches and stubs, to sound wood;

(2) Common Hazel, T3 under the Worthing Tree Preservation Order No. 68 of 2001:

(a) Reduce the side branches, by up to one metre, to growth points, to prevent branches abrading adjacent buildings.

Reason: In the interests of visual amenity.

2. The approved remedial works to trees, to which Condition 1 of this consent relates, shall be carried out within a period of TWO YEARS from the date of this consent.

Reason: To save disfigurement of the trees, in the interests of visual amenity.

INFORMATIVES

1. The applicant is advised that the tree works hereby approved should be carried out in accordance with the British Standard, "Recommendations for Tree Work", - BS 3998 : 1989. A copy of this document is available for viewing at the Planning Section Offices at Portland House, Richmond Road, Worthing, West Sussex BN11 1LF.

2. This consent under a Tree Preservation Order has been granted subject to the conditions listed above. The Council has a formal procedure for checking compliance with planning conditions and you are advised to ensure that all conditions are fully discharged. Failure to comply with a condition can result in enforcement proceedings, including the service of a Breach of Condition Notice. You are further advised to engage the services of a qualified tree surgeon/arboricultural consultant to ensure that the works are carried out in a competent manner. Should your tree surgeon/consultant wish to have clarification of the extent of the approved works, then please contact Mr H Barnes-Moss on extension 1348 who is the Case Officer for this application, or the Council's Arboriculturist, Mr P Whish on extension 1117.

3. The applicant is advised that the cut branches, logs and foliage resulting from the tree works hereby permitted, should be disposed of or recycled in a manner that would not give rise to a loss of amenity to the occupiers of the adjoining and nearby properties, through smell, smoke or dust.

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4. The decision to grant planning permission has been taken having regard to the policies and proposals in the adopted Worthing Local Plan 2003 and the adopted West Sussex Structure Plan 2001 – 2016 set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Adopted Worthing Local Plan 2003

BE15 - Retention of Trees, Landscaping and Hedgerows

Adopted West Sussex Structure Plan 2001 – 2016

CH1 - Character

This information is only intended as a summary of the reasons for grant of planning permission. For further details on the decision please see the application report which is available from the Planning Reception at Portland House, Richmond Road, Worthing.