From:
Date: Mon, 16 Nov 2026 at 15:06
Subject: RE: AWDM/1285/26 - Application for Certificate of Lawfulness for tree planting
To: Gary Peck <gary.peck@adur-worthing.gov.uk>
Cc:

Dear Gary,

Thank you for your email. Please treat the following as my clarification of application AWDM/1285/26.

Ownership and notification

I am a joint owner of the land with James Richard Dixon, whose address is REDACTED. James has been notified of the application and I have copied you that confirmation and do so again now.
Scope of the application

The application under section 192 relates solely to the proposed planting of trees to enhance biodiversity. The attached tree-planting plan supersedes the earlier plan for this application. Please assess the application on the basis of this plan. The sandpit and tractor barn are outside its scope.

Please disregard the reference to Class C3 in the application form. The application seeks a certificate for the planting operation alone and proposes no material change of use.

Basis for lawfulness

Our position is that the planting shown on the plan, involving only the digging and backfilling of ordinary planting holes, would fall outside the definition of development in section 55 of the Town and Country Planning Act 1990. On that basis, the planting would have been lawful without planning permission had it been carried out on the date of the application.

I attach the Inspector's decision of 17 December 2024 for context on the site's planning history. Paragraphs 11 and 18 address the evidence about possible historic residential permission and the use of the field. Paragraph 5 explains that the two earlier appeals concerned lawfulness, with planning merits outside their scope. The present appeal under AWDM/0737/26 concerns planning permission for a separate proposal.

I would be grateful if you could confirm that you have the information needed to determine the tree-planting application.

Yours sincerely,

Chris Dixon
General Manager
REDACTED