The Planning Inspectorate

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Sir / Madam
Adur District Council

Email: Planning@adur-worthing.gov.uk

Your Ref: AWDM/0866/20

Our Ref: APP/TPO/Y3805/8074

Date: 18th February 2021

Dear Sir / Madam,

THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012, SI No. 605
APPLICATION FOR CONSENT TO CARRY OUT WORKS TO PROTECTED TREES
APPELLANT: Mrs. Patricia Lovegrove
SITE AT: o/s 73 Downsway, Shoreham by Sea, West Sussex, BN43 5GN

We have received the above-cited appeal against your decision on an application to carry out work on T26 Acer tree protected by a tree preservation order. The appellant will have sent a copy of the notice of appeal to you.

I am the case officer for the appeal and can be reached using the telephone number, email address and postal address at the top of this letter. When contacting me please quote the above reference. You will note that the appellant has exercised their right to be heard and we have decided that this appeal will go by way of the hearing procedure.

You may be aware that the Planning Inspectorate (PINS) is not at present able to conduct conventional planning hearings and is unlikely to be able to schedule such events for the foreseeable future. Therefore, PINS will only be conducting TPO hearings via a virtual platform, that is by video or telephone conferencing. The Inspector would hold the Virtual Hearing and then on another day carry out an accompanied site visit with the parties, taking suitable precautions to ensure the health and wellbeing of those attending the site visit.

Most virtual Hearings are conducted using Microsoft Teams, which requires a smart phone or a computer/laptop ideally with a camera, though audio only is acceptable. Alternatively, PINS can accommodate telephone only virtual events or a mix of those participating via the Microsoft Teams platform and telephone participation. Please confirm that you are able to participate in a virtual Hearing **within 14 days** of the date of this letter.

If you consider that there are reasons why a virtual Hearing would be difficult for you, please set out the reasons why this is the case so that we understand your particular circumstances. PINS will seek to address any practical concerns in relation to virtual events and your participation.

Please read through the enclosed questionnaire carefully and then complete the form and return it to me, together with copies of the documents cited on it, as soon as possible, preferably **within 14 days** from the date of this letter. Please ensure that you send a copy of the completed questionnaire and associated documents to the appellant or their agent. If you have reason to believe that the appeal is invalid e.g. it has been submitted out of time or the

appellant is not the person who made the application, ignore the questionnaire and simply provide the relevant information bringing your observations to our attention.

If you propose to submit an appeal statement (see section 3 of the questionnaire), please ensure that this is submitted to me within **6 weeks** of the date of this letter.

You may wish to invite third parties to submit representations. If so, please make clear to them that their comments should be sent directly to me and these should arrive here no later than **6 weeks** from the date of this letter. A copy of all third party representations submitted by this date will be sent to both main parties, each of whom will be given an opportunity to comment on them should they wish.

In light of the public amenity issues involved and in the interests of **good practice**, we urge you to give notice of the hearing arrangements. This will ensure that third parties have an opportunity to make oral representations on the day. Please forward copies of any notification letters or notices posted or issued, at the time of their posting, for our file.

If you are able to resolve this dispute with the appellant at any time during the appeal process before the hearing, please let us know. This would enable the withdrawal of the appeal and a consequent saving of time and public resources.

I have also invited the appellant/appellant's agent to submit a full written statement of case before the 6 week deadline.

I look forward to receiving your questionnaire within **2 weeks** from the date of this letter.

Finally, information on the awards of costs, which is applicable to appeals proceeding by way of a hearing, inquiry and the fast-track procedure, may be accessed through the Government's *"Planning Practice Guidance"* website:

http://planningguidance.communities.gov.uk/blog/guidance/appeals/the-award-of-costs-general/

This guidance is also being brought to the attention of the appellant.

Yours sincerely

James Ledsham
Case Officer

Tree and Hedge Appeals