

Arboricultural Report



22 Erringham Road

Shoreham

BN43 5NQ

Client: Stephanie Fabb

Date: March 2026

Contents

1.	Introduction.....	4
1.1	Scope of report	4
1.2	Report author.....	4
1.3	Tree location	4
1.4	Current status of trees, reports	4
1.5	Site inspection.....	4
2.	Tree Inspections	6
3.	Conclusions and recommendations	6
3.1	General conclusions	6
3.2	Work recommendations	9
3.3	Work standards.....	9
	APPENDIX 1 – Tree survey schedule	10
	APPENDIX 2 – Tree location plan	11
	APPENDIX 3 – Copy of TPO record.....	12
	APPENDIX 4 – Photos.....	13

1. Introduction

1.1 Scope of report

- 1.1.1 I am instructed by Stephanie Fabb to inspect and report on two mature trees located close to the northern boundary of 22 Erringham Road, Shoreham.
- 1.1.2 I am asked to inspect and report on the health and condition of the trees. Also, I am to identify and explain any impacts and constraints posed by the trees and provide advice and recommendations.

1.2 Report author

- 1.2.1 My name is Greg Sweeney, an Arboricultural Consultant of David Archer Associates. I hold a National Diploma in Arboriculture. I am a qualified LANTRA Professional Tree Inspector and am an Associate member of the Arboricultural Association. I have been professionally involved in arboriculture since 2009 and have been an arboricultural consultant in private practice since 2019.

1.3 Tree location

- 1.3.1 The trees are located in the rear garden, on the southern boundary, of neighbouring property, 'Hazelcroft'. The trunks of the trees are positioned approximately 1.5m north of the boundary garden wall which is approximately 2m high. The wall spans the length of the boundary between the properties from east to west, adjacent the trees. The main residential building of 22 Erringham Road, Shoreham is approximately 5m from the garden wall. There are two conservatories, one located to the side, mid-way along the property to the north and one at the rear to the east. Both conservatories are built with a brick base/wall. Approximate measurements between the trunks of trees and building/conservatories are shown in the assessment notes for each tree. There is a brick-built garage located a short distance south-west of tree no.1.

1.4 Current status of trees, reports

- 1.4.1 The trees are subject to Tree Preservation Order, 1987, No.162/2/87 (Appendix 3). The site/trees are not believed to be located in a conservation area. Prior to contractors commencing any works, this should be confirmed with the local Council.
- 1.4.2 Surveys associated with the building have indicated that there is no current evidence of structural damage.

1.5 Site inspection

- 1.5.1 I visited the property and inspected the trees on the morning of Friday the 13th March 2026. Weather conditions at the time were clear, dry and bright. My observations are based on inspection from within the residential property of no.22 Erringham Road. Due to access

restrictions the base of the trunks were not inspected. My inspection was an external visual inspection from the ground.

1.5.2 The tree survey schedule is shown at Appendix 1.

2. Tree Inspections

- 2.1.1 Tree no.1 - Trunk of tree located approx. 4.5m from (side) conservatory, 6.5m from NW corner of main building & 12m from NE corner of main building; between the building and the tree there is standard patio slabs - the soil level appears to rise slightly between main building/side conservatory and tree; paving slab, approx. 1m from NW corner of property & 1m E of drain cover, was lifted revealing one tree root, approx. 4cm diameter; trunk of tree bi-furcates at approx. 5.5m; signs of historic 'crown lifting' indicated by several occluded and un-occluded pruning wounds on trunk between heights of 3-9m on S side of trunk; several small 'epicormic' shoots/growth (approx. x5) between 3-5m; other than the crown lifting pruning in the lower crown on the S side, the crown appears to be naturally formed/untouched.
- 2.1.2 Tree no.2 - Trunk of tree located approx. 7m from (side) conservatory, 6.5m from NE corner and 12.5m from NW corner of main building; between the building and the tree there is standard patio slabs - the soil level appears to rise slightly between main building and tree; trunk of tree bi-furcates at approx. 4.5m; signs of sympathetic historic 'crown lifting/reduction', in the lower third of the crown, indicated by the removal of ends of several lower branches on the S, SW sides between heights of 6-9m, to provide clearance from building roof and garden patio; lower lateral branches orientated to the SE extended towards patio due to seeking light and crown suppression on W side, by neighbouring tree; the remainder and majority of the crown appears to be naturally formed/untouched; good level of twig and bud density indicating good physiology.

3. Conclusions and recommendations

3.1 General conclusions

- 3.1.1 The trees are both large mature specimens that are prominent and visible in the local landscape. The trees appear to be in good physiological health and are noted as having average structure. Given the age and size of the trees and considering the local environment, the trees being located near the south coast and exposure to trade south-westerly winds, I do not expect the crown spread of trees to increase by much and any new annual growth will be minimal. There is evidence that the trees have been pruned both to 'lift' the crowns to provide clearance from the outdoor patio area and roof of no. 22 Erringham Rd. Though not essential from a 'risk' viewpoint, I have provided work recommendations/specifications that are considered to provide on-going arboricultural maintenance to provide clearance from the property building and outdoor patio area. The trees are positioned a short distance from the building. The trees are 'deciduous', meaning that they shed their leaves in the winter, and so leaf fall should be expected. Due to the height and crown spread of trees leaf fall is likely to affect the roof of the property including gutters. Solutions such as 'gutter guards' may be installed to prevent build-up of excess leaf litter. Pruning or cutting back of the branches is unlikely to be effective with regard leaf litter. As discussed on site, tree no.1 Sycamore is tolerant of pruning, but tree no.2 Beech is a species of tree that is not tolerant of hard pruning.

Further to this, we are tending to see Beech trees struggling somewhat with a changing climate and so I recommend careful future management of both trees but particularly Beech tree no.2. The trees are positioned north of the property building no.22 and so though some sky and light loss may be experienced, the sun which moves from east to west on the south side of the building and trees will not cast direct shadow on the property building and roof. The trees are surrounded by grass lawn on their north side, garden space belonging to 'Hazelcroft', this area being conducive to tree root growth. During my inspection I noted some patio slabs on the north-west corner of no.22 Erringham Road that were broken and slightly lifted. I noted the presence of a root at this location close to the main building, side conservatory and near a drain cover. Tree roots can extend up to two and a half times the height of trees (this includes the fine, fibrous roots) and though the lawned garden area to the north of the boundary in neighbouring property provides favourable tree root conditions, there is likely to be tree root growth within the property of no.22 on the north side immediately adjacent the main building and conservatory, and beneath the patio, as identified above. The extent of foundations belonging to the main building, conservatory (side) and garage are unknown but are assumed to be built upon traditional concrete foundations. The foundations of which are considered to be barriers to tree root growth. Tree roots tend to be located within the upper 75cm of soil, and in my experience only usually seen in the upper 50cm. I noted that the soil level/patio on the north side between the main building no.22 and the trees rises. The damp proof course of both the main building and conservatory (north/side) appear to be low in the ground. I suspect that this may be due to protection of the tree rooting area and thus preservation of the existing soil level next to the tree, on the north side of the building and conservatory, at the time of construction. The nominal rooting area (otherwise known as Root Protection Area, RPA), in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) is estimated to be a radius of approximately 10.8m from each of the tree trunks. Thus, any plans for construction such as side/rear extensions within this radius will be considered by the Local Planning Authority (LPA) to have potential to impact tree nos. 1 and 2. Advice should first be sought from a planning consultant and/or an architect but plans such as property extension are likely to require a planning application that requires tree related input. This usually consists of arboricultural reports including a tree survey to inform tree constraints and to consider/propose any technical building solutions that may be necessary to prevent tree root damage followed by a final tree protection plan and arboricultural method statement. For example, any built structures that may be proposed within the RPA's of the trees should consider special engineering solutions such as 'pile and beam' or 'screw piles' foundation construction. Foundation depths that account for the presence, location and potential influence of the trees should be recommended by structural engineer and architect, at the design stage of any future projects. Tobermore 'Secura Lite' may be a consideration for any outdoor hard landscaping, near to trees, where low level gravity retaining walls with minimum foundation dig may be required. I am informed that there is no known damage or problems associated with the underground drainage system. Tree roots typically only enter already damaged or

leaking drains, rather than causing the initial breach. Consideration may be given to conducting drain surveys to establish their condition.

In their current condition and subject to good arboricultural management the trees are expected to have a life expectancy of more than 40 years. As stated earlier the trees appear to be in good physiological health and with average structural condition. Therefore, I recommend that any alterations to the building footprint should take account of the trees. The trees are the responsibility and ownership of the owners of 'Hazelcroft'. They have a 'common law' duty of care for inspection of the trees. Considering the proximity of the trees to a 'high risk' target area, being the residential property of no.22, and given the trees age and size I would recommend that the trees are inspected every 18 months. Should discussion over pruning and or their removal be necessary the owners should first be consulted/notified. I am informed that there is no documentation, associated with the property no.22, that confirms the trees are located within a conservation area and/or are protected by Tree Preservation Order/s (TPO's). It is generally best to discuss your concerns with the tree owner beforehand, but under established 'common law', you should be able to prune branches and roots that grow over your boundary, with or without the owner's consent (root barrier products are available such as GreenBlue Urbans 'Re-root' or Green-Tech 'RootBarrier 360'). You also have a legal duty, however, to take 'reasonable care' whilst undertaking the works, and you may be liable if you damage your neighbour's trees, or cause them to become unstable. It is therefore unwise to undertake works without first consulting an arboriculturist. The parts cut off from the tree remain the property of the tree owner, so they should be offered back. If overhanging trees or encroaching roots have caused damage to your property, then you should contact your building insurer for advice. Your insurer will usually contact the owner of the trees asking them to abate the nuisance and will arrange for any repairs to be undertaken. If damage has not yet occurred, but you believe there is a foreseeable risk that the trees will cause damage in the future, then you should discuss your concerns with the owner and write to them asking them to have the trees inspected by an arboriculturist. You should keep copies of any letters sent as they prove that you have highlighted your concerns should damage occur in the future.

3.2 Work recommendations

3.2.1 In line with my conclusions, a summary table of my recommendations in this case is presented in *Table 2* below.

Tree no.	Species	
1	Horse Chestnut	Consider crown lifting to achieve clearance between 0-5.5m on S side only. Within 12 months. I would recommend that the trees are inspected every 18 months.
2	Beech	Consider crown lifting to achieve clearance between 0-7.5m on S, SW & SE sides of lower crown only. Within 12 months. I would recommend that the trees are inspected every 18 months.

Table 2. Recommended works

3.3 Work standards

3.3.1 All works recommended should be carried out in accordance with the requirements pertaining to the relevant operations set out in British Standard BS 3998: 2010, *Tree work – Recommendations*, by qualified and competent tree surgery contractors only, with appropriate Public Liability insurance.

Greg Sweeney | Arboricultural Consultant

18th March 2026



APPENDIX 1 – Tree survey schedule

Notes for the Tree Schedule

This schedule is based on a tree survey carried out in accordance with the recommendations of British Standard, BS 5837 (2012) "Trees in relation to design, demolition and construction - Recommendations" ("BS 5837") by Greg Sweeney on Friday the 13th March 2026. Weather conditions at the time were clear, dry and bright. Deciduous trees were not in leaf.

The information contained in this schedule reflects the condition of the trees at the time of the survey, based on visual inspection from the ground only; they were not climbed, and no internal investigations were undertaken. A BS 5837 survey for planning or development purposes is not a detailed tree hazard or risk survey. As such, no guarantee is given as to the structural integrity or safety of any trees included.

As trees are dynamic organisms and subject to continual growth and change, no dimensions expressed in this schedule may be relied upon for development planning purposes for more than 24 months from the date of survey. Estimated dimensions are marked 'est'.

1. **No.:** Expressed in sequential order starting from number 1 – woodlands, groups & hedges are prefixed as W, G, & H respectively.
2. **Species:** The common name as given in "Collins Tree Guide", Johnson & More (2004).
3. **Height:** Estimated with the aid of a 'Disto' laser rangefinder and expressed in metres, to the nearest metre.
4. **Trunk Diameter:** Measured at 1.5m above ground level and expressed in millimetres to the nearest 10mm; where multiple stems are present they are measured individually, and an aggregated equivalent single trunk diameter is calculated in accordance with BS 5837, in order to derive the tree's root protection area ('RPA').
5. **Radial Crown Spread:** Distance in metres from the centre of the trunk to the outermost edge of the crown at each cardinal point of the compass, rounded up to the nearest half metre; or in the case of uniform or symmetrical crowns, the average distance from the centre of the trunk to the outermost edge of the crown.
6. **Crown Clearance:** Mean height, in metres, from adjacent ground level to the lowest point of the live crown.
7. **Height to First Branch:** Height, in metres, of the first significant branch (>100mm diameter), or to crown break from ground level.
8. **Life Stage:** Young, Semi-mature, Mature, Over-mature, Veteran/Ancient.
9. **Physiology:** The tree's health and vigour in comparison to a typical specimen of the same species and age: Good, Average, Below average, Poor, Dead.
10. **Structure:** The tree's structural condition based on assessment of any visible roots, and of its trunk, main branches and crown, noting the presence of any obvious defects or decay: Good, Average, Below average, Poor, Hazardous.
11. **Landscape Value:** An assessment of the tree's visual importance in the local landscape in its present context: High, Moderate, Low, Nil.
12. **Estimated Years:** Estimate of the tree's likely remaining contribution expressed in years: <10, 10-20, 20-40, 40+.
13. **Comments:** Notes relating to the tree's health and condition, structure and form, estimated life expectancy and importance within the local landscape; including notes of any restrictions to access for inspection, presence of potential habitat features (natural or artificial), or other significant observations.
14. **Category:** - A rating given to trees based on Table 1 in BS 5837, summarised below:

Category 'U' - Trees in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management.

Category 'A' - Trees of high quality and value; in such a condition as to be able to make a substantial contribution (normally a minimum of 40 years).

Category 'B' - Trees of moderate quality and value; those in such a condition as to make a significant contribution (normally a minimum of 20 years).

Category 'C' - Trees of low quality and value; currently in adequate condition to remain until new planting could be established (normally a minimum of 10 years), or young trees with a stem diameter below 150mm.

Sub-categories (where appropriate); 1 – Mainly arboricultural qualities: 2 – Mainly landscape qualities: 3 – Mainly cultural values, including conservation.

No.	Species	Height	Trunk Dia.	Radial Crown Spread	Crown Clearance	Height to 1st Branch	Life Stage	Physiology	Structure	Landscape Value	Est. Years	Comments	Category
1	Horse Chestnut	21m	900mm est	N7m E6m S5m W7m	4m	4m	Mature	Good	Average	High	40+	Trunk of tree located approx. 4.5m from (side) conservatory, 6.5m from NW corner of main building & 12m from NE corner of main building; between the building and the tree there is standard patio slabs - the soil level appears to rise slightly between main building/side conservatory and tree; paving slab, approx. 1m from NW corner of property & 1m E of drain cover, was lifted revealing one tree root, approx. 4cm diameter; several small 'epicormic' shoots/growth (crca. x5) between 3-5m; trunk of tree bi-furcates at approx. 5.5m; signs of historic 'crown lifting' indicated by several occluded and un-occluded pruning wounds on trunk between heights of 3-9m on S side of trunk; other than the crown lifting pruning in the lower crown on the S side, the crown appears to be naturally formed/untouched; good level of twig and bud density indicating good physiology.	A

No.	Species	Height	Trunk Dia.	Radial Crown Spread	Crown Clearance	Height to 1st Branch	Life Stage	Physiology	Structure	Landscape Value	Est. Years	Comments	Category
2	Beech	21m	900mm est	N8m E8.5m S7m W6.5m	4m	4m	Mature	Good	Average	High	40+	Trunk of tree located approx. 7m from (side) conservatory, 6.5m from NE corner and 12.5m from NW corner of main building; between the building and the tree there is standard patio slabs - the soil level appears to rise slightly between main building and tree; trunk of tree bi-furcates at approx. 4.5m; signs of sympathetic historic 'crown lifting/reduction', in the lower third of the crown, indicated by the removal of ends of several lower branches on the S, SW sides between heights of 6-9m, to provide clearance from building roof and garden patio; lower lateral branches orientated to the SE extended towards patio due to seeking light and crown suppression on W side, by neighbouring tree; the remainder and majority of the crown appears to be naturally formed/untouched; good level of twig and bud density indicating good physiology.	A



APPENDIX 2 – Tree location plan





APPENDIX 3 – Copy of TPO record

Town and Country Planning Acts 1971 - 1974

ADUR DISTRICT COUNCIL

Insert title of
Order.

(land at "Hazelcroft", The Avenue, and 20 Erringham Road, Shoreham-by-Sea)

TREE PRESERVATION ORDER, 1987

(No. 162/2/87(SU))

Insert name
of
local planning
authority.

ADUR DISTRICT COUNCIL

in this order called "the authority" in pursuance of the powers conferred in that behalf by Section 60 [and 61*] of the Town and Country Planning Act 1971 (as amended by Section 10 (1) of the Town and Country Amenities Act 1974), and subject to the provisions of the Forestry Act 1967, hereby make the following Order:—

1. In this Order:—

"the Act" means the Town and Country Planning Act 1971;

"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more and a mortgagee in possession; and

"the Secretary of State" means the [Secretary of State for the Environment] ~~Secretary of State for Wales~~

2.—Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop, uproot, wilfully damage or wilfully destroy or cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto† which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3.—An application for consent made to the authority‡ under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4.—(1) Where an application for consent is made to the authority under this Order, the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent.

Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

* Include only where Order contains a direction under section 61 of the Act.

† Map to be to a scale of not less than 25 inches to one mile (1:2500), except in the case of large-woodlands when the scale shall be 6 inches to one mile (1:10000 or 1:10560).

‡ NOTE.—If it is desired to *fell* any of the trees included in this Order whether included as trees, groups of trees or woodlands and the trees are trees for the felling of which a licence is required under the Forestry Act, 1967, application should be made *not* to the authority for consent under this Order but to the Conservator of Forests for a licence under that Act (section 15 (5)).

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5.—Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied—

- (a) that the refusal or condition is in the interests of good forestry; or
- (b) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity value.

6.—(1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless—

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
- (b) the authority with the approval of the Secretary of State dispense with replanting,

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and section 175 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to—

- (a) species;
- (b) number of trees per acre (hectare);
- (c) the erection and maintenance of fencing necessary for protection of the replanting;
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7.—On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by a water authority since 31st March 1974, by any other authority (whose functions are now exercised by a water authority) who at any time prior to 1st April 1974 exercised the functions in respect of which the byelaw was made, by a drainage board, or by the Greater London Council in the exercise of its functions in relation to maintenance, improvement or construction of watercourses or of drainage works, restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of the water authority, the drainage board, or the Greater London Council under those byelaws and the condition or direction shall have effect accordingly.

8.—The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9.—Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage:

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10.—In assessing compensation payable under the last preceding Article account shall be taken of:

- (a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under Section 60 of the Act, or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act, 1932, and
- (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11.—(1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by addressing the claim to the authority and leaving it at or sending it by post to the principal office of the authority.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.

12.—Any question of disputed compensation shall be determined in accordance with the provisions of Section 179 of the Act.

13.—[(1) The provisions of section 61 of the Act shall apply to this Order and the Order shall take effect on 18 June 1987.]†

~~[(2) This Order shall apply to any tree specified in the First Schedule hereto, which is tax-planted as mentioned therein, as from the time when that tree is planted.]†~~

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding ~~£400~~ ^{£1000} or twice the sum which appears to the court to be the value of the tree, whichever is the greater, or on indictment to a fine. The penalty for any other contravention of this Order is a fine not exceeding £200 on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree other than one to which an Order applies as part of a woodland is removed, uprooted or destroyed in contravention of an Order or is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by section 60(6) of the Town and Country Planning Act 1971 relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirement, to plant another tree of appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days' previous notice of the removal, etc., should be given to the authority to enable the latter to decide whether or not to dispense with the requirement.

† This provision is not to be included unless it appears to the authority that the Order should take effect immediately.

‡ This provision may be included in relation to trees to be planted pursuant to a condition imposed under Section 59 of the Act.

FIRST SCHEDULE
TREES SPECIFIED INDIVIDUALLY*

(encircled in black on the map)

<i>No. on Map.</i>	T1	<i>Description.</i>	Beech	<i>Situation.</i>	land at
	T2		Horse-Chestnut		"Hazelcroft, The Avenue, and 20 Erringham Road, Shoreham-by-Sea

TREES SPECIFIED BY REFERENCES TO AN AREA*

(within a dotted black line on the map)

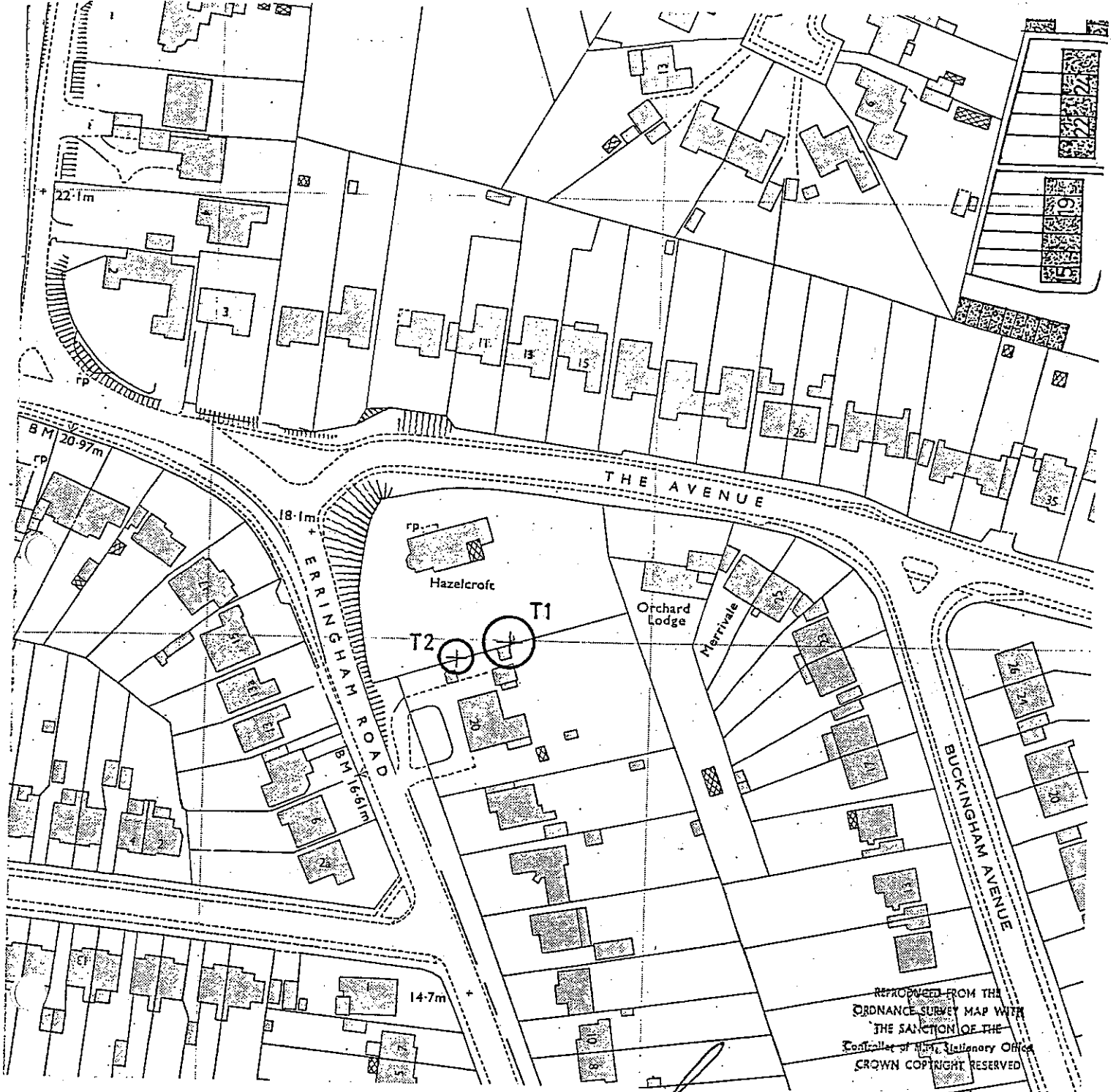
<i>No. on Map.</i>	NONE	<i>Description.</i>	<i>Situation</i>
--------------------	------	---------------------	------------------

GROUPS OF TREES*

(within a broken black line on the map)

<i>No. on Map.</i>	NONE	<i>Description.</i>	<i>Situation</i>
--------------------	------	---------------------	------------------

* The word "NONE" must be entered where necessary.



TREE PRESERVATION ORDER 162/2/87(SU)
HAZELCROFT, THE AVENUE AND 20, ERRINGHAM ROAD
SHOREHAM-BY-SEA.

TREE T1 - BEECH
TREE T2 - HORSE CHESTNUT

Scale 1:1250



DEVELOPMENT SERVICES DEPARTMENT

Civic Centre • Ham Road • Shoreham-by-Sea • Sussex BN4 6PR
Telephone Shoreham-by-Sea 5566

**ADUR
DISTRICT
COUNCIL**

WOODLANDS*

(within a continuous black line on the map)

No. on Map. NONE

Description.

Situation

* The word "NONE" must be entered where necessary.

SECOND SCHEDULE

This Order shall not apply so as to require the consent of the authority to

- (1) the cutting down of any tree on land which is subject to a forestry dedication covenant where
 - (a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;
 - (b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.
- (2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme or other grant scheme under section 4 of the Forestry Act 1967 except a scheme which applies to a forestry dedication covenant;
- (3) the cutting down, uprooting, topping or lopping of a tree.
 - (a) in pursuance of the power conferred on the Post Office by virtue of section 5 of the Telegraph (Construction) Act 1908 and section 21 of the Post Office Act 1969, or by or at the request of the Post Office where the land on which the tree is situated is operational land as defined by the Post Office Operational Land Regulations* and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
 - (b) by or at the request of
 - (i) a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
 - (ii) an electricity board within the meaning of the Electricity Act 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882 or interferes or would interfere with the maintenance or working of any such line;
 - (iii) a water authority established under the Water Act 1973, a drainage board constituted or treated as having been constituted under the Land Drainage Act 1930, or the Greater London Council, where the tree interferes or would interfere with the exercise of any of the functions of such water authority, drainage board, or Council in relation to the maintenance, improvement or construction of water courses or of drainage works; or
 - (iv) the Secretary of State for Defence, the Secretary of State for Trade, the Civil Aviation Authority or the British Airports Authority where in the opinion of such Secretary of State or Authority the tree obstructs the approach of aircraft to, or their departure from, any aerodrome or hinders the safe and efficient use of aviation or defence technical installations;
 - (c) where immediately required for the purpose of carrying out development authorised by the planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purposes of that Part;
 - (d) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden;

[Where the trees are within the Thames catchment area]

- [(e) in pursuance of the powers of the Thames Water Authority under section 105 of the Thames Conservancy Act 1932.]

* S.I. 1973/310.

THIRD SCHEDULE

Provisions of the following parts of Part III of the Town and Country Planning Act 1971 as adapted and modified to apply to this Order.

33. (1) Without prejudice to the following provisions as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the authority on the granting of such consent, shall (except in so far as the consent otherwise provides), enure for the benefit of the land and of all persons for the time being interested therein.

35. Reference of applications to the Secretary of State.—(1) The Secretary of State may give directions to the authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.

(2) A direction under this section may relate either to a particular application or to applications of a class specified in the direction.

(3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.

(4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to an application which falls to be determined by the authority.

(5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(6) The decision of the Secretary of State on any application referred to him under this section shall be final.

36. Appeals against decisions.—(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 given 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 Secretary of State.

(2) A notice under this section shall be served in writing within twenty-eight days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow.

(3) Where an appeal is brought under this section from a decision, certificate or direction of the authority, the Secretary of State, 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 had been made to him in the first instance.

(4) Before determining an appeal under this section, the Secretary of State 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 Secretary of State for the purpose.

(6) The decision of the Secretary of State on any appeal under this section shall be final.

37. Appeal in default of decision.—Where an application for consent under the Order is made to the authority, then unless within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the authority either—

(a) give notice to the applicant of their decision on the application; or

(b) give notice to him that the application has been referred to the Secretary of State in accordance with directions given under section 35 above;

the provisions of the last preceding section shall apply in relation to the application as if the consent to which it relates had been refused by the authority, and as if notification of their decision had been received by the applicant at the end of the said period of two months, or at the end of the said extended period, as the case may be.

45. Power to revoke or modify the consent under the order.—(1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the authority may by Order revoke or modify the consent to such extent as they consider expedient.

(2) Subject to the provisions of sections 46 and 61 of the Act an Order under this section shall not take effect unless it is confirmed by the Secretary of State; and the Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

(3) Where an authority submit an Order to the Secretary of State for his confirmation under this section, the authority shall furnish the Secretary of State with a statement of their reason for making the Order and shall serve notice together with a copy of the aforesaid statement on the owner and on the occupier of the land affected, and on any other person who in their opinion will be affected by the Order, and if within the period of twenty-eight days from the service thereof any person on whom the notice is served so requires, the Secretary of State, before confirming the Order, shall afford to that person, and to the authority, an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(4) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed.

Provided that the revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

(5) Where a notice has been served in accordance with the provisions of subsection (3) of this section, no operations or further operations as the case may be, in pursuance of the consent granted, shall be carried out pending the decision of the Secretary of State under subsection (2) of this section.

46. Unopposed revocation or modification of consent.—(1) The following provisions shall have effect where the local planning authority have made an Order (hereinafter called "such Order") under section 45 above revoking or modifying any consent granted on an application made under a tree preservation order but have not submitted such Order to the Secretary of State for confirmation by him and the owner and the occupier of the land and all persons who in the authority's opinion will be affected by such Order have notified the authority in writing that they do not object to such Order.

(2) The authority shall advertise the fact that such Order has been made and the advertisement shall specify (a) the period (not less than twenty-eight days from the date on which the advertisement first appears) within which persons affected by such Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose and (b) the period (not less than 14 days from the expiration of the period referred to in paragraph (a) above) at the expiration of which, if no such notice is given to the Secretary of State, such Order may take effect by virtue of this section and without being confirmed by the Secretary of State.

(3) The authority shall also serve notices to the same effect on the persons mentioned in subsection (1) above.

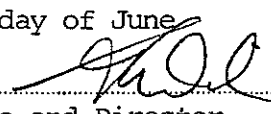
(4) The authority shall send a copy of any advertisement published under subsection (2) above to the Secretary of State, not more than three days after the publication.

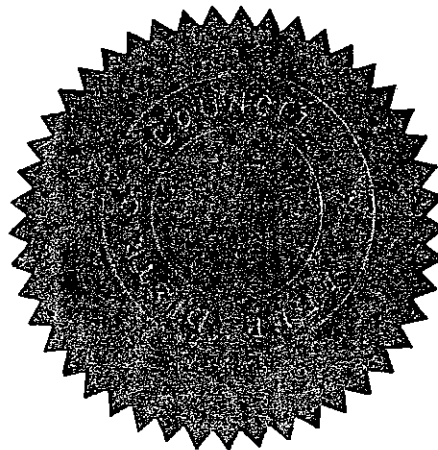
(5) If within the period referred to in subsection (2) (a) above no person claiming to be affected by such Order has given notice to the Secretary of State as aforesaid and the Secretary of State has not directed that such Order be submitted to him for confirmation, such Order shall at the expiration of the period referred to in subsection (2) (b) of this section, take effect by virtue of this section and without being confirmed by the Secretary of State as required by section 45 of the Act.

(6) This section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Part III, Part IV or Part V of the Act.

GIVEN under the Common Seal of the Adur District Council

the Eighteenth day of June 1987 .


Chief Executive and Director
of Administration



Dated

18th June

1987 .

ADUR DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS, 1971-74

TREE PRESERVATION ORDER

relating to

Trees marked as T1 and T2 on land
at "Hazelcroft", The Avenue and
20 Erringham Road, Shoreham-by-Sea

TREE PRESERVATION ORDER 162/2/87(SU)



APPENDIX 4 – Photos



From 'The Avenue' (looking south)



From 'Erringham Road' (looking north-east)



From rear garden of no.22 Erringham Rd (looking west)



From rear garden of no.22 Erringham Rd (looking north-west)



Tree no.1 – recommended pruning points to achieve ‘crown lift’



I noted that the soil level/patio on the north side between the main building no.22 and the trees rises





Tree no.2 – recommended pruning points on S side to achieve ‘crown lift’