Adur District Council

Development Management

Mr Nyall Thompson
Branch Out Tree Care
5 Totland Road
Brighton
BN2 3EP

SPLIT DECISION UNDER TREE PRESERVATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (TREES) REGULATIONS 1999 (AS AMENDED)

APPLICATION NUMBER: AWDM/1173/18

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby PART REFUSE CONSENT and PART CONSENT to the following works that is to say:

Application for consent under Adur Tree Preservation Order No. 13.53/2/15(SW) to reduce eastern side by up to 1m to one Holm Oak T2, reduce eastern and southern sides by up to 1m to one Holm Oak T3, reduce height and crown spread by up to 2m to one Acer T5 and to fell and replace one Acer T4.

Street Record Amelia Close Southwick West Sussex

to be carried out in accordance with Plan and Application No. AWDM/1173/18 (as modified by the under-mentioned conditions, if any) submitted to the Council on 08/08/2018 subject to compliance with the conditions specified hereunder.

G Peck

Gary Peck
Planning Services Manager

Date:25/09/2018

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
DX: 142965 Worthing 10 Web: www.adur-worthing.gov.uk

Ref: AWDM/1173/18

SCHEDULE

Reasons for Refusal

01. The proposed felling of Acer tree T4 which is part of a cohesive pair of prominent trees, which are an established feature of the area. The loss of this tree would be detrimental to the character and visual amenities of the area. The issues of light can be addressed by other suitable works, and this is not an acceptable reason to fell a protected tree. Having regard to the maturity and stature of the tree and its prominence within the street scene it is recommended that the felling is refused.

Conditions for Approval

01. The proposed works to Holm Oak trees T2 and T3 hereby permitted, shall be restricted to those specified in the application only unless otherwise agreed in writing with the Local Planning Authority and carried out within two years from the date of consent and in accordance with the British Standard BS 3998: 2010 Tree Work.

Reason: *In the interest of visual amenity.*

02. The proposed works to Acer tree T5 hereby permitted, shall be restricted to;

i) Reduction in crown height of up to 1 to 1.5 metres, 1.5 on the taller sections toward the north of the tree.

ii) Reduction in radial spread of up to 1 to 1.5 metres, retaining the integration of crowns with Acer tree T4.

only unless otherwise agreed in writing with the Local Planning Authority and carried out within two years from the date of consent and in accordance with the British Standard BS 3998: 2010 Tree Work.

Reason: *In the interest of visual amenity.*

Notes to Applicant

You are strongly advised to ensure that the tree surgeon carrying out the work is made aware of the above conditions. Should the works carried out exceed that which is permitted, then it may be open to the Local Planning Authority to take prosecution action against the owner of the tree(s) and the tree surgeon. If the applicant is unclear about any aspect of the specification for works, they are strongly advised to contact the Council's Arboricultural Officer prior to the commencement of the works.

The applicant's attention is drawn to the provisions of the Countryside & Rights of Way Act 2000. Under the Act, it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at 15, Cloisters, 8, Battersea Park Road, London, SW8 4BG. Their telephone number is 020 7627 2629.