Horsham District Council

Mr Brad Sheehan
Capel tree surgeons
Runnymeade Farm
Reeds Lane
Southwater
Horsham
RH13 9DQ

Application Number: DC/24/0175

TOWN & COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012

On behalf of: Mr Jervis

In pursuance of their powers under the above-mentioned Regulations the Council hereby notify you that they PERMIT the following development, that is to say:

Surgery to 2x Oak

Land South East of Eady Close Horsham West Sussex

to be carried out in accordance with Plan and Application No. DC/24/0175 submitted to the Council on 31/01/2024 subject to compliance with the conditions specified hereunder.

Catherine Howe
Head of Strategic Planning

Date: 05/04/2024

1 The tree work to which this consent relates shall be carried out within two calendar years of the date of this consent.

Reason: To enable the Local Planning Authority to review the need for the works in the event of this consent not being implemented.

2 The tree work to which this consent relates shall be limited to:

(a) Carry out surgery works exactly as specified within schedule of proposed works submitted with application.

Reason: For the avoidance of doubt.

3 The surgery to which this consent relates shall be carried out in accordance with BS 3998 'Recommendations for Tree Work' (2010). Where applicable, retained side shoots intended to form the new dominant shoot must be at least 30% of the diameter of the parent branch.

Reason: To ensure that the surgery is carried out in accordance with best arboricultural practice.

Note to Applicant
The applicant is strongly advised to ensure that the contractor 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 any person who has caused or permitted this. If the applicant is unclear about any aspect of the specification for works, they are strongly advised to contact the Council's Arboricultural Officer on 01403 215515 prior to the commencement of the works.

Note to Applicant
The applicants attention is drawn to the provisions of both the Wildlife and Countryside Act 1981, and the Countryside & Rights of Way Act 2000. Under the 2000 Act, it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in the 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 Quadrant House, 250 Kennington Lane, London, SE11 5RD. Details: Tel: 0345 1300 228; E-mail: enquiries@bats.org.uk

Note to Applicant
The Council notes that the tree(s) referred to is/are not within your property. Whereas the Council permits the works scheduled above, it should be stressed that the whole of the works may only be carried out with the consent of the trees' owner. The parts of the works in respect of foliage overhanging your property may be carried out under rights of Common Law, but you are advised that whatever is removed from the tree(s) remains the property of the trees' owner, and should be offered back to him/her. Disposal of such foliage by placing it within your neighbour's property without his/her consent constitutes fly-tipping, and is not permissible. This notice of consent in no way overrides the wishes of the tree(s) owner, nor should any inference be taken as such.

ADDITIONAL INFORMATION

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Right of Appeal
If you are aggrieved by the decision to refuse permission for the proposed works or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

You must appeal within 28 days of the date of the decision notice for an application for works to trees subject to a tree preservation order.

The details of how to appeal together with the form which must be used can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or on-line at www.gov.uk/planning-inspectorate.