



## TENDRING DISTRICT COUNCIL

### Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (TREES PRESERVATION)(ENGLAND)REGULATIONS 2012**

**To:** Mr Mark Brumpton  
Roxburgh  
Colchester Main Road  
Alresford  
CO7 8DG

Tree Preservation Order No. 10/00049/TPO  
26 Wivenhoe Road, Alresford, Colchester

#### REFUSAL TO CUT DOWN, ETC

In pursuance of its powers under the above mentioned Act and Regulations and the Tree Preservation Order made by the TENDRING DISTRICT COUNCIL (hereinafter called "the Council") as Local Planning Authority and confirmed by the Council on the 3rd December 2010 the Council have considered the application submitted to the Council on the 8th January 2019 to

1 No. Pine - Fell.

**AND DO HEREBY GIVE NOTICE of their decision to REFUSE consent.**

The reasons for the Council's decision to refuse consent are:-

Account has been taken of the representation made with the application, however, the claim that roots of the tree are causing damage is not supported by evidence.

The problem caused by falling pine needles is not considered sufficiently serious enough to justify the removal of the tree.

The tree is still viable and its removal would adversely affect the amenity of the area.

**DATED:** 8th February 2019

**SIGNED:**

*Catherine Bicknell*

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Catherine Bicknell  
Head of Planning

The attached notes explain the right of appeal against the decision.

## NOTES

1. Where an application is made for consent to carry out work to trees subject to a Tree Preservation Order and that consent is refused or granted subject to conditions, the applicant may, if aggrieved, appeal against that decision. The appeal should be made on the relevant TPO (consents) appeal form obtained from the Planning Inspectorate and must be received by the Planning Inspectorate within 28 days from the date of receipt of the decision notice. The form can be found on their website [http://www.planningportal.gov.uk/uploads/pins/tpo\\_appeal\\_form.pdf](http://www.planningportal.gov.uk/uploads/pins/tpo_appeal_form.pdf)
2. Forms can also be obtained by writing to The Environment Appeals Team, Trees and Hedges, Room 3/25, Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or by telephoning 0303 444 5584
3. The completed appeal form should be sent to The Environment Appeals Team, Trees and Hedges, Room 3/25, Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or e-mail it to [environment.appeals@pins.gsi.gov.uk](mailto:environment.appeals@pins.gsi.gov.uk)
4. When an appeal is brought under this provision the Planning Inspectorate may allow or dismiss the appeal or may reverse or vary any part of the decision of the Authority and may deal with the application as if it had been made to him in the first instance.
5. Before determining such an appeal, the Planning Inspectorate shall, if either the appellant or the authority so desire, afford each an opportunity of appearing before and being heard by, a person appointed by the Planning Inspectorate for the purpose. The decision of the Planning Inspectorate on any such appeal shall be final.