

# Arboricultural Appraisal Note

**Project:** Mudberry Farm, Bosham  
**Subject:** Arboricultural Desk Review of Access Points  
**Status:** FOR INFORMATION  
**Ref:** BMD.19.005.TN.001  
**Date:** 01/02/2019  
**Rev:** -

## Review of three potential access areas:

- Location 1: South-west of site. Access crossing rail tracks
- Location 2: North of site. Junction with A27
- Location 3: North-east of site. Roundabout and exits by Polthooks Farm Industrial Estate

## Overview of statutory and non-statutory designations in the entire development area

- 1.1 There are no parts of the proposed development area which lie within a Conservation Area.
- 1.2 One tree on the site is included in Chichester District Council Tree Preservation Order 1/FB (Land at Polthooks Farm, Clay Lane, Fishbourne). The tree is located adjacent to Polthooks Farm (see Fig. 1). The complete Tree Preservation Order can be found in Appendix A.

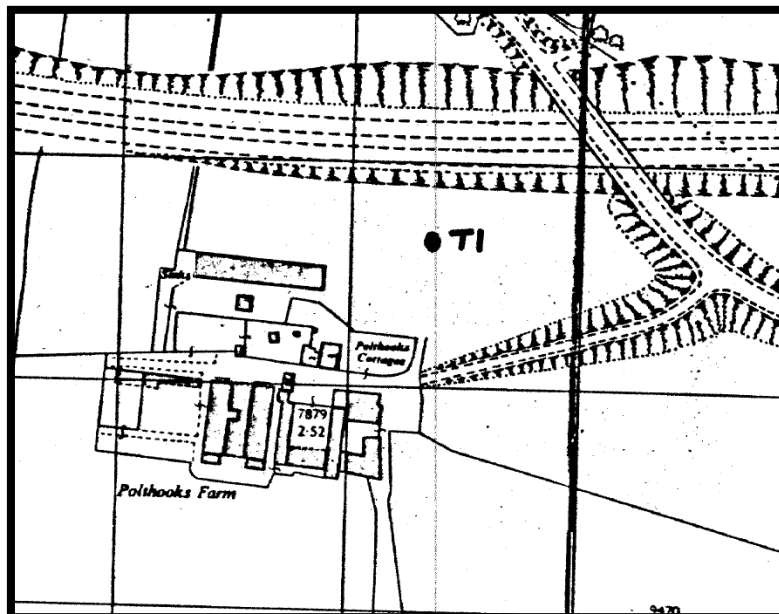


Fig. 1 Extract of plan from Chichester District Council Tree Preservation Order 1/FB (Land at Polthooks Farm, Clay Lane, Fishbourne)

- 1.3 Most of the development site has been designated a part of the Woodland Priority Habitat Network (England), which is part of the Countryside Stewardship Targeting & Scoring framework. This framework identifies areas where incentives are available to land managers who will employ measures that protect and enhance the natural environment. The majority of the area has been given a low spatial priority within the Network.
- 1.4 The land immediately surrounding Bosham House and Bosham Lodge; an area to the west of Meadow Farm and the level crossing at Newells Lane; and a small area surrounding the

drains to the north of the railway track at the east of Brooks Farm Cottage have a higher spatial priority within the Woodland Priority Habitat Network (England).

- 1.5 Pockets of land have been given a high spatial priority within the Countryside Stewardship Targeting & Scoring framework for Woodland Improvement proposals. This includes the rear of Pondfields to the west of Meadow Farm; the grounds of Bosham Lodge and the area around Bosham House; and the small area centred on the drains to the west of Brooks Farm Cottage. These areas are also identified as Deciduous Woodland on the Priority Habitat Inventory, with areas identified as Broadleaved Woodland and Conifer Woodland in the National Forest Inventory.
- 1.6 To the north of the development area are a series of woodlands and plantations. Some of these are identified as Deciduous Woodland on the Priority Habitat Inventory, with areas identified as Broadleaved Woodland and Conifer Woodland in the National Forest Inventory. There are also areas identified as Ancient and Semi-Natural Woodland, and as Ancient Replanted Woodland. This means that the land has been host to Woodland for hundreds of years, whether managed, natural or replanted (usually for timber). These areas are included in this Appraisal as boundary trees may be a consideration for future development whether for the extent of their root protection areas or if their crowns overhang the site. Although there are no statutory protections as such, guidance from the Forestry Commission and Natural England identifies both Ancient and Semi-Natural Woodland and Ancient Replanted Woodland designations as a material consideration in planning. However, none of the proposed development sites directly adjoin these areas.

### ***Arboricultural assessment***

- 1.7 The site consists of agricultural land situated between the A27 to the north and the A259 to the south. The arboricultural landscape is characterised by long hedgerows, occasional linear groups and small woodlands.

#### Location 1: South-west of site. Access crossing rail tracks.

- 1.8 There are no significant trees on the A259 in the vicinity of the proposed roundabout junction.  
There appears to be adequate separation between a linear group comprising mature Ash, Hawthorn and possibly Field Maple (to be confirmed through survey) and the proposed access route north from the roundabout to the railway track crossing.
- 1.9 The proposed embankments may affect the way the prevailing wind reaches the crowns of the trees. This could increase the likelihood of branch or whole tree failure.

#### Location 2: North of site. Junction with A27.

- 1.10 The planting in the vicinity of the proposed junction comprises young indigenous species typical of highway planting.
- 1.11 Plant loss as a result of the creation of the slip roads would appear to be relatively minor; but in any event, this type of planting is easily replaced.

#### Location 3: North-east of site. Roundabout and exits by Polthooks Farm Industrial Estate.

- 1.12 There is no significant tree loss implicated in the creation of this access point.
- 1.13 The proposed route does not impinge on the setting of the Ash tree included in Chichester District Council Tree Preservation Order 1/FB (Land at Polthooks Farm, Clay Lane, Fishbourne).



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**Appendix A:**

**Chichester District Council Tree Preservation Order 1/FB**

**(Land at Polthooks Farm, Clay Lane, Fishbourne)**

DEPARTMENT OF DEVELOPMENT SERVICES

MEMORANDUM

Date : 17th March, 1989.  
To : Secretary  
(For the attention of Mr. R. Duggua)  
From : Assistant Chief Planning Officer

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Your Ref: TCP/C/19/249  
Our Ref: AJH/NCH/TPO.1/FB

Tree Preservation Order -  
Land at Polthooks, Fishbourne

I refer to your memorandum and enclosures of the 27th January, 1989 and apologise for the delay in responding to this. I have mentioned the matter to Members and it is the general consensus of opinion that the Tree Preservation Order should be confirmed as drafted.



.....  
Assistant Chief Planning Officer

AH35M



Department of DEVELOPMENT Services	
Handled to <b>PD</b>	3 JAN 1989
Ack. Sent	File

# CHICHESTER DISTRICT COUNCIL

Chief Executive:  
P. Ryan, F.C.I.S.

Secretary:  
D. Smalley, A.C.I.S., D.M.A., Barrister

Administration Department  
East Pallant House  
East Pallant  
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If calling ask for:

our ref:

your ref:

Mr. Duggua  
Ext. 5197

RD/R/TCP/19/249

30th December 1988

Dear Sir/Madam,

**Chichester District Council**  
**Tree Preservation Order - Land at Polthooks Farm, Clay Lane, Fishbourne**

The above Tree Preservation Order was served on 30th December 1988 and is effective immediately. I enclose a copy of Plan TPO 1/FB showing the trees the subject of the Order. The Order and accompanying Notice have been served upon The Secretary, Broadbridge Farms Ltd., Ratham Lane, Bosham.

Yours faithfully,

Secretary

*THE CHIEF PLANNING OFFICER*  
~~Assistant Director (Planning)~~  
8 North Pallant  
Chichester  
West Sussex

Town and Country Planning Acts 1971-1985<sup>1</sup>

Insert title of Order

PORTHOOKS FARM, CLAY LANE, FISHBOURNE

**TREE PRESERVATION ORDER, 19**

Insert name of local planning authority

CHICHESTER 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 † [and section 2 of the Town and Country Planning Act 1984§], and subject to the provisions of the Forestry Acts 1967 and 1979, 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.

<sup>1</sup> NOTE: Where appropriate this Order has been updated to reflect statutory amendments which have resulted in the need to show substitutions or repeals of the prescribed form.

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

† Section 60 is amended by section 10 of the Town and Country Amenities Act 1974 and Schedule 15 paragraph 13 and Schedule 34 Part X of the Local Government Planning and Land Act 1980. Section 61 is amended by Schedule 34 Part X and Schedule 15 paragraph 14 of the Local Government Planning and Land Act 1980.

§ Include only where Order relates to Crown Land.

‡ 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 proposed to fell any of the trees included in this Order and the felling requires a licence under the Forestry Act 1967, an application should be made in the first place to the Forestry Commission.

(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 a group of trees or in a woodland, that the trees have an outstanding or special amenity value; or
- (c) in the case of trees which are comprised in a group of trees or in a woodland, that the group of trees or the woodland, as the case may be, has an outstanding or special amenity value,

but a certificate shall not be given in the case of trees falling within (c) above if the application in respect of them has been referred by the Forestry Commissioners under section 15(1)(b) or 15(2)(a) of the Forestry Act 1967.

6.—(1) Where consent is granted under this Order to fell any part of a woodland other than consent for silviculture 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 or the drainage board 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 infection 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 *30 DECEMBER 1988*.\*

(2) This Order shall apply to any tree specified in the First Schedule hereto, which is to be 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 the prescribed sum§ 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 Level 4 on the standard scale‡ 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 is removed, uprooted or destroyed in contravention of an order or, except in the case of a tree to which the Order applies as part of a woodland, 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. In respect of trees in a woodland it is sufficient to replace the trees removed, uprooted or destroyed by planting the same number of trees either on or near the land on which the trees removed, uprooted or destroyed stood or on such other land as may be agreed between the authority and the owner of the land, and (in either case) in such places as may be designated by the authority.

\* 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.

§ £2000 but subject to alteration by Order.

‡ £1000 but subject to alteration by Order.



**FIRST SCHEDULE**

**TREES SPECIFIED INDIVIDUALLY\***

(encircled in black on the map)

No. on Map.

Description.

Situation.

T1

ASH

LAND AT POLTHOCKS  
FARM, CLAY LANE,  
FISHBOURNE AS SHOWN  
ON PLAN TP 1/FB

**TREES SPECIFIED BY REFERENCES TO AN AREA\***

(within a dotted black line on the map)

No. on Map.

Description

Situation.

N O N E

**GROUPS OF TREES\***

(within a broken black line on the map)

No. on Map.

Description.

Situation.

N O N E

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

**WOODLANDS\***

(within a continuous black line on the map)

<i>No. on Map.</i>	<i>Description</i>	<i>Situation.</i>
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N O N E

\* 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 a grant scheme under section 1 of the Forestry Act 1979 except a scheme which applies to a forestry dedication covenant.
- (3) the cutting down, uprooting, topping or lopping of a tree
  - (a) by or at the request of the Post Office where the land on which the tree is situated is land which has been acquired for the purpose of the Post Office's undertaking and either works on such land cannot otherwise be carried out or the cutting down, uprooting, topping or lopping is for the purpose of securing safety in the operation of the undertaking; or the lopping in pursuance of the power conferred on any operator of a telecommunications code system by virtue of paragraph 19 of Schedule 2 to the Telecommunications Act 1984;
  - (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, uprooting, 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, or a drainage board constituted or treated as having been constituted under the Land Drainage Act 1976, where the trees interferes or would interfere with the exercise of any of the functions of such water authority or drainage board 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 Transport, the Civil Aviation Authority, or in relation to any airport managed by a company to which any property, rights or liabilities have been transferred in pursuance of a scheme made under section 1 or 15 of the Airports Act 1986, the person for the time being having the management of the airport, where in the opinion of such Secretary of State, Authority or person the tree obstructs the approach of aircraft to, or their departure from, any airport 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.]

### 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 modification 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 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  
*DISTRICT COUNCIL OF CHESTER*

the *20<sup>TH</sup>* DAY OF *DECEMBER* 19*88*.

*SEAL.*

*D. SMALLEY*

# New A27 as shown on D.T.P. drawing

SUSSEX  
827

828 Chalkroft Copse

829

WEST SU

6500 17

7100  
3-09

7800 48  
Polthooks Cottages

8500 08

9000  
35

0005  
3-49

0300  
06

● T1

7879  
2-52

Polthooks Farm

7468  
9-29

9470  
5-27

9358  
7-87

CHICHESTER DISTRICT COUNCIL

TREE PRESERVATION ORDER

LOCATION : POLTHOOKS FARM,  
CLAY LANE, FISHBOURNE,

TREE SPECIFIED INDIVIDUALLY

T 1 : ASH TREE

REF TPO 1 / FB

NO