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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H01-1082-22 **Date of Decision:** 24th January 2023

Applicant: Optera
The Barn
Oxburgh
Fosse Way
Stretton-On-Dunsmore
CV23 9JF

Location: 42 Stone Gate Cowbit Spalding

Description: Works to Cowbit Tree Preservation Order No 1 1982

Detailed Description:

Application to carry out works on the mature oak tree which is located on the frontage of 42 Stone Gate, Cowbit.

The tree is identified as T7 of Cowbit Tree Preservation Order No 1 1982. (T3 in the Addendum Arboricultural Report, accompanying this Application.)

'The works are as described in the arboricultural method statement; the trees at the property are as described in the arboricultural report.

The proposed works involve digging a trench to cut all roots between oak tree and building and install a root barrier in the same trench. The method to be used is as described in the arboricultural method statement.

The reason for the works is the tree-root related subsidence to the property. No trees will be removed so no replacement tree is proposed.'

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

- 1 That the proposed work is carried out within two years of the date of this decision unless

otherwise agreed with the District Council.

- 2 Work is to be carried out in accordance with BSI 3998 : 2010, 'Recommendations for Tree Work'.
- 3 Before works commence a temporary fence of at least 1.5 metres in height shall be erected between the trunk of the oak tree and the proposed location of the ground protection boarding either side of the proposed trench line (laid for soil support for machinery access). No machinery to be allowed within this fence line; or materials, equipment, site huts, fuels or other items be placed or stored there in. To prevent soil compaction over the remaining roots of the oak tree. A similar temporary fence to protect the lime tree identified as T8 of Cowbit Tree Preservation Order No 1 1982, where its Root Protection Area as determined in British Standard 5837:2012 lies within the garden of 42 Stone Gate.
- 4 Works to be supervised by a qualified arboriculturalist in accordance with the Arboricultural method statement to install a root barrier, produced by Optera Structural Solutions dated 14th January 2022, forming part of this Application. Particular note should be taken that the 'Top 50 cm of trench will be excavated under supervision with all roots of significant size (25+ mm diameter) will be cut with a clean sharp saw on the side of the trench closest to the oak tree)'.
- 5 Modifications to the details may be agreed with the Local Planning Authority.

Notes:

The necessary consent of all other interested parties should be obtained before the works proceed.



Phil Norman
Head of Planning
South Holland District Council

RIGHTS OF APPEAL:

Where an application is made to the Authority for consent and that consent is refused or is granted subject to conditions the applicant, if aggrieved by the decision, may appeal to the Planning Inspectorate (PiNS). Appeals must be received by the PiNS within 28 days of the Council's decision. The appeal should be made on the relevant TPO (consents) appeal form which can be obtained from PiNS. The form can be found on the Planning Portal website at:

<https://www.gov.uk/appeal-decision-about-tree-order>

Alternatively a form can be obtained by writing to Environment Appeals, Room 3A Eagle Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN or telephone on 0303 444 5000.

If you visit the Planning Portal web site you will be able to complete the appeal form and return it to PiNS electronically via the email address:

treeandhedgeappeals@planninginspectorate.gov.uk