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TOWN AND COUNTRY PLANNING ACT 1990

WORKS TO A PRESERVED TREE

Reference: H02-0274-19 **Date of Decision:** 2nd May 2019

Applicant: Mr Tony Arlow
2 Croyland Way
Crowland
Peterborough
Cambs
PE6 0NA

Location: 2 Croyland Way Crowland Peterborough Cambs

Description: Works to Crowland Tree Preservation Order No. 6, 1986

Detailed Description:

Application with regard to trees within and adjacent to the garden of 2 Croyland Way, Crowland. The trees are within Area One of Crowland Tree Preservation Order No. 6 1986.

1. In the front garden.

Prunus species. 'Cherry tree rotting/diseased', 'Tree replacement will be a cherry in the same location. Old tree to be felled'.

2. Behind rear boundary fence.

Acer species. 'The sycamore trees I would like to cut them back over my fence and will stay within the regulations, I will have them done professionally'.

South Holland District Council hereby give notice that this application 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 The resulting stump of the tree should be ground out/removed to at least 300mm below ground level, unless otherwise agreed with the District Council, to help reduce the risk of the stump harbouring decay fungi which could infect nearby trees.

Notes:

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

Pruning of Acer sp. (sycamores/maples) should take place in late summer or early autumn. All pruning works to sycamores/maples should be completed by mid-January to avoid problems of sap bleed.

Care should be taken to ensure that the selective pruning of overhanging branches over a fence line does not physically imbalance the affected tree(s). (All cuts to be made as recommended in British Standard 3998 2010). (The Acer illustrated in the first two photographs sent by the applicant in the e-mail of 30.04.2019, is typical of the situation. From the photographs it would appear that the lowest branches could be removed which overhang the fence, those above to be selectively reduced in a gradual arc (when viewed from the side) to the apex of the tree. So some of the upper branches will still physically overhang the fence line, but will be reduced to existing growth points. The two photographs of the second Acer sent in the same e-mail, show a tree with much less overhanging branches, as they appear to grow more upright and will be easier to selectively prune to existing growth points to reduce the overhang, yet not unbalance the tree. Avoid cutting larger branches to reduce the risk of infection though open wounds.)

In this case the duty of the landowner is to plant another tree to replace the cherry to be removed, of an appropriate size and species, at the same place and as soon as reasonably possible.

It is recommended that the tree is replaced with a further cherry of at least 1.5 metres high on planting as near as reasonably practicable to the position of the original tree within a period of twelve months.

Please inform the Local Planning Authority as soon as replanting has taken place and indicate the position of the replacement tree. Section 207 of the Town and Country Planning Act 1990 empowers this Authority to issue a Notice formally requiring replacement tree(s) to be planted.

Under the Wildlife and Countryside Act 1981 (as amended) all birds, their nests and eggs are protected by law and it is an offence to damage or destroy the nest of any wild bird while it is in use or being built. In the event of query please contact Natural England on Tel: 03000 603900.

Bats are protected species under the Wildlife and Countryside Act 1981 (as amended) and in the event that bats are living in any cavities in the tree(s), or if they are discovered while the works are taking place, please inform Natural England on Tel: 03000 603900 before works proceed.



Phil Norman
Planning and Building Control Manager
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:

www.planningportal.gov.uk/planning/appeals/otherappealcasework/treepreservation

Alternatively a form can be obtained by writing to The Environment Team, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN or telephone on 0117 3728192

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:

environment.appeals@pins.gsi.gov.uk