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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H03-1038-24 **Date of Decision:** 24th December 2024

Applicant: Mrs V Phillips
The Hayloft
Main Road
Deeping St Nicholas
Spalding
PE11 3HA

Location: The Hayloft Main Road Deeping St Nicholas Spalding

Description: Works to Deeping St Nicholas TPO No 1 1997

Detailed Description:

Application to carry out works to trees within the grounds of the property known as The Hayloft, Main Road, Deeping St Nicholas.

The trees concerned are the pine tree directly to the north of the entrance drive and a holly immediately to the south east of the pine also on the northern side of the entrance drive.

Both trees are within Group One of Deeping St Nicholas TPO No 1 1997.

(Pine marked as T1 on plan accompanying Application).

'T1 - Pine - Fell

Significant needle loss, some completely dead branches and tree in state of overall decline.'

In correspondence with the Agent 20th December 2024, it was noted:

Holly - died - 'Needs to be made safe as it is closer to the highway.'

Option to fell included as part of this Decision Notice.

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 The resulting stumps of the trees should be ground out to at least 300mm below ground level, to help reduce the risk of the stumps harbouring decay fungi which could infect nearby trees. Please take care not to damage the roots of adjacent trees in the process.

Notes:

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

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

It is recommended that the pine tree is replaced with a Scots pine tree of at least 1.5 metres high on planting, and should the holly be removed that it is replaced by a further holly of at least 1.0 metre high on planting, as near as reasonably practicable to the position of the original trees, within a period of twelve months. Please ensure that for at least the first two years that the trees are regularly watered during dry periods to enable their roots to become fully established.

Please consider that increased vehicle pressure due to car parking facilities is likely to have resulted in compaction of the ground particularly over the roots of the well established pine tree and probably to a lesser extent the holly. Such compaction can reduce the amount of water reaching the roots and prevent gaseous exchange to and from the roots, which can result in them dying back, which in turn affects the vigour of the canopy and can lead to death of the tree. The feeder roots of a tree are largely located in the top eighteen inches of soil, so are easily affected.

Please inform the Local Planning Authority as soon as replanting has taken place and indicate the position of the replacement trees, Section 207 of the Town and Country Planning Act 1990 empowers this Authority to issue a Notice formally requiring replacement trees 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
Assistant Director - Planning and Strategic Infrastructure
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