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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H04-0917-19 **Date of Decision:** 4th November 2019
Applicant: Thomas Cowley High School
 School Lane
 Donington
 Spalding
 Lincs
 PE11 4TF
Location: Thomas Cowley High School School Lane Donington Spalding Lincs
Description: Works to Tree Preservation Order No. 2, 1960 in Donington Conservation Area

Detailed Description:

Application to remove a lime tree the subject of Donington Tree Preservation Order No. 2 1960, also Notification to carry out works to those trees protected by being within Donington Conservation Area.

Please see the plan accompanying the application for the position of the trees. The trees are numbered independently from the Tree Preservation Order.

Lime at eastern end of Group Two of the Order:

'24 Lime, Small Leafed - *Tilia cordata* :

Trunk - Epicormics/suckers, Trunk - Ivy/Climber,

Crown - congested, Crown- Minor Deadwood < 100mm, Crown - Major deadwood > 100mm, crown - historic pruning wounds / stubs, Stem / Base - *Ganoderma adspersum*. '(see below for position)'
 'Fell and poison.'

('T24 Lime has a fungal bracket at 6m NW which appears to be a *Ganoderma*, the upper crown foliage is chlorotic. The tree appears to be shutting down its upper crown production of leaves and putting its energy into the lower stem which can be seen - extensive reaction growth, a retrenching process perhaps'.)

'G1 Ash, Purple Plum, Holly, Yew, Elder:

Trunk/crown - Weak Unions, Trunk/crown - historic pruning wounds/stubs, Crown - Minor Deadwood < 100mm, Trunk - Ivy/Climber, Site - Unable to survey effectively/ obscured view. Clear street furniture.

Crown lifting to 2.4m Over Footpath.'

'56 Birch:

Trunk - Ivy/Climber.

Clear premises.'

'80 - Birch:

Trunk/ crown - historic pruning wounds/ stubs, Roots - Surface Root Damage,

Clear premises & footpath.'

'G2 - 6 Birch, one Mountain Ash, 2 Birch leaning 15 degrees:

Roots - Surface Root Damage, Trunk - Surface Bark Wound.

Crown Lifting to 2.4m Over Footpath,'

'G3 - Alder, Birch, Pine, Hawthorn:

Roots - Surface Root Damage, Trunk - Surface Bark Wound.

Crown Lifting to 2.4m Over Footpath, Epicormic removal.'

'G4 - Alder, Birch, Cherry, Sorbus sp.:

Roots - Surface Root Damage, Trunk - Surface Bark Wound, trunk - Inonotus hispidus on one of Sorbus, hammer test ok., Crown - Minor Deadwood < 100mm.

Remove deadwood > 150mm on Cherry, crown lifting to 4m over bins.'

'70 - Sycamore - Acer pseudoplatanus:

Trunk/crown - historic pruning wounds/stubs, Roots - Surface Root Damage, Trunk/crown - Weak Unions.

Epicormic removal, Clear premises.'

'71 - Holly:

Trunk/crown - historic pruning wounds/stubs.

Clear premises, sever ivy.'

'72 - Ash, Common - Fraxinus excelsior:

Trunk - Weak Unions, Trunk - Ivy/Climber, Crown - Minor Deadwood <100mm.

'Clear premises.'

'69 - Cherry, Wild - Prunus avium:

Roots - Surface Root Damage, Crown - Minor Deadwood < 100mm, Crown - co-dominant stems, Crown - thin foliage.

Clear premises.'

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 lime tree should be ground out 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.
(Possibly a better solution than poisoning, as requirement for re-planting close by.)

Notes:

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

Please read 'Conditions' as 'Recommendations' for those trees within the Conservation Area but not the subject of a Tree Preservation Order.

Pruning works to species of Prunus (cherry/plum) should be carried out after flowering but before mid-July; to help to reduce the likelihood of infection by the fungi known as silver leaf.

Holly should ideally be trimmed in August. (Please note, the major cutting back of a hedge is best spread over two to three years). Often it is not appropriate to prune at the ideal time due to the presence of nesting birds which are protected by law. Avoid pruning in periods of frost.

Ideally, major pruning works to yews should be carried out in May, although minor pruning works can be carried out in August or September. Often it is not appropriate to prune at the ideal time due to the presence of nesting birds which are protected by law. Avoid pruning in periods of frost.

Silver birches should be pruned in late summer and autumn as bleeding of sap from pruning works can be a problem at other times of the year.

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

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

It is recommended that the lime tree is replaced with a further lime (*Tilia cordata*) 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 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
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