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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H04-0919-21 **Date of Decision:** 23rd September 2021

Applicant: Mr H Bingham
Crossroads Nurseries
Main Road
Quadring
Spalding
PE11 4PJ

Location: Adj. The Yews Quadring Road Donington Spalding

Description: Works to Donington Tree Preservation Order No 12 2007

Detailed Description:

Application to carry out works to two mature ash trees on the frontage of a field immediately adjacent to the property known as 'The Yews' Quadring Road, Donington. The trees are situated in the eastern boundary hedgerow adjacent to A152 Quadring Road.

Please see the Tree Report, photographs and plans accompanying the Application.

Both trees are within Group One of Donington Tree Preservation Order No.2 2007.

In the applicant's words:

'Ash 1- Fell because of excessive disease damage and low amenity value. Replant with one standard Oak in position shown on plan.

Ash 2- Reduce tree by approx. 35% due to excessive and dangerous overhang over Quadring Road.'

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 stump of the ash tree to be removed 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. (Please avoid damaging the roots of adjacent trees in the process).

Notes:

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

If the soils have a high clay content, it may be advisable to obtain the opinion of a qualified arboriculturist regarding the potential effect that the removal of the tree could have on nearby built structures and of the planting of a replacement which is a high, rather than moderate water demand species.

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 tree is replaced with a standard oak tree (as stated in the application) of at least 1.0/1.5m high as near as reasonably practicable to the position of the original tree within a period of twelve months. (Ideally the tree should be staked and be protected by a suitable tree guard to prevent damage by rabbits and voles whilst becoming established. If stock are present it will need fencing. Ideally at least for the first year, regular watering will enable it to take advantage of the long daylight hours of spring and summer to establish its roots and thrive, rather than fight to survive in the hot sun.)

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.

A handwritten signature in blue ink, appearing to read 'Phil Norman', with a long horizontal stroke extending to the right.

Phil Norman
Planning 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