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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H04-1022-15 **Date of Decision:** 4th December 2015

Applicant: Mr John Grant
Witham House
Church Street
Donington
Spalding Lincolnshire

Location: Caythorpe Road Donington Spalding Lincolnshire

Description: Works to Donington Tree Preservation Order No. 3 1964

Detailed Description:

Application concerning trees bordering Caythorpe Road, Donington. The trees are the subject of Donington Tree Preservation Order No.3 1964.
Identification numbers refer to the Tree Preservation Order plan. This may be viewed under the above reference number, on the South Holland District Council website: www.sholland.gov.uk .

T1 Ash - Remove tree. Tree has basal cavity and decay fungi at base, likely to be Polyporus squamosus. There was evidence of further fungi likely to be Inonotus hispidus a few metres from ground level, partially hidden by dense ivy cover.

T8 Ash - Reduce tree by no more than 50%, due to massive dieback of upper branches. Assess remainder of tree and report back to Local Planning Authority if it is considered further works are required.

T10 Ash - Remove tree, more dead branches than alive.

T11 Ash - Remove tree, contains lots of cavities, faults and fungi (Inonotus hispidus).

The remaining trees to have their crowns lifted so they are out of the way of vehicles.

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 stumps of the trees 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 stumps harbouring decay fungi which could infect nearby trees.

Notes:

Dead wood may be removed without written application to the Local Planning Authority, providing works are to British Standard 3998 2010.

The necessary consent of all other interested parties should be obtained before any 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 to replace each removed.

It is recommended that the tree(s) are replaced with either of the following species: hornbeam, lime, sycamore, horse chestnut, or ash (currently there are movement restrictions on ash trees due to ash dieback disease). The trees to be at least 1.5 metres high on planting, to be planted as near as is reasonably practicable to the position of the original trees within a period of twelve months. It is suggested that the young trees will require staking and some protection (such as tree shelters/guards)to reduce rabbit or vole damage until established. (As the trees grow,tree ties, stakes and guards will need checking to prevent constriction and will eventually require removal).

Modifications to the details may be agreed with the Local Planning Authority.

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 at their Lincoln office on 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 at their Lincoln office on

03000 603900 before works proceed. It may be prudent to have a bat survey carried out before works take place.



Paul Jackson
Place 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 adn return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk