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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H04-1260-16 **Date of Decision:** 30th January 2017

Applicant: Mr Stephen Hartfil
Sanjomiti
Malting Lane
Donington
Spalding Lincs
PE11 4XA

Location: 4 Malting Lane Donington Spalding

Description: Works to Donington Tree Preservation Order No. 1, 1952

Detailed Description:

Application to carry out works on a large mature oak tree which is within Group One of Donington Tree Preservation Order No. 1 1952. The tree is located in the north eastern corner of the rear garden of 4 Malting Lane, Donington.

The Agent to the application states:

'Proposed work. One large oak tree overshadowing four properties maybe the largest tree in Donington, and hundreds of year's old. Tree appears in moderate condition but with some decaying fungi at base, previously reduced heavily approx. 35 to 40 years ago.

Having worked on this tree around 5 years ago, some previous cuts were showing decay. Then I feel the tree would benefit from a weight reduction on the previous pollards, to reduce safety risk issues and prolong it's life, also generate new growth. I would like to reduce crown by approx.6-7 metres just above previous cuts. Reshape crown and rebalance side's as necessary probably around a 30% overall reduction.

Some branches have suffered wind damage in the past. Due to the condition of tree I can see the owners concern about the duty of care and safety issues, with Nursery School under this tree'.

The applicant also states: 'we would like to remove all of the new growth above previous cuts that are getting quite large, and any other dead wood within the tree and shape the tree on the sides to

keep its shape'.

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'.
The retention of existing growth points above the pollard points as in the Agent's description, will help the tree recover from the extensive surgery proposed. (Preferably cut just above a suitable lateral branch or failing that, retain a live stub from which new shoots could grow).

Notes:

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

Dead wood may be removed without a formal written application as long as to British Standard 3998 2010, it is included in the description for completeness.

Any fungal fruiting bodies removed from the tree should be disposed of away from trees, to reduce re-infection.

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.



**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 and return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk