Mrs S Mason
The Lawns
74 Fleet Road
Fleet
Spalding
PE12 8LD

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764723
DC Officers 01775 764703
facsimile 01775 762937
planningadvice@sholland.gov.uk
www.sholland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H05-1044-20 **Date of Decision:** 14th January 2021

Applicant: Mrs S Mason
The Lawns
74 Fleet Road
Fleet
Spalding
PE12 8LD

Location: 74 Fleet Road Fleet Spalding

Description: Works to Fleet Tree Preservation Order No 6 1997.

Detailed Description:

Application to remove two beech trees on the eastern boundary of the grounds of 74 Fleet Road, Fleet. The trees are within Group Two of Fleet Tree Preservation Order No 6 1997.

Please see the plans accompanying the application for the position of the trees.

Below is an extract from the Tree Report which was provided as part of the application.

'Tree Inspection Findings
a) The age class of the Beech trees are mature specimens near to the end of their safe useful life.
b) The tree is approx 24 metres high and 18 metres from the family home, it also 5 metres from the garage and shed.
c) The larger of the Beech trees has 3 main stems which fork at approx 2 metres and evidence of included bark on both sides of the trunk is visible.
d) The top of the stem union is found to be dry at the time of inspection which would suggest that water is seeping down into the union and further adding to internal decay.
e) The trees have a large amount of deadwood in the crown especially in the upper region that pose a risk of falling debris. This also indicates the tree is struggling and showing signs of decline/stress.
f) The smaller of the Beech trees canopy is very one sided and has been sheltered/shielded by its larger neighbour and is of low amenity value.

7.Recommendations
a) Both Beech trees be felled.
b) Tree work is skilled and potentially dangerous work, which must be carried out by trained and certificated staff working to BS3998 and working in accordance with the various regulations within the health and safety at work act 1974.
c) Contractors must have Public Liability (preferably 5 million) and Employer's Liability insurance (preferably 10 million).'

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.

4 The two trees to be felled shall be replaced by two cut-leaf beech trees of at least 1.5 metres high on planting within a period of twelve months from the date of felling the originals. (This Condition may be ignored if replanting is correctly carried out under the DUTY).

5 If within a period of five years from the date of planting, a replacement tree (or any other tree planted in replacement for it) is removed, uprooted or destroyed or dies, another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority give their written consent. (This Condition may be ignored if replanting is correctly carried out under the DUTY).

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 to replace each removed, of an appropriate size and species, at the same place and as soon as reasonably possible.

It is recommended that to comply with the DUTY the trees are replaced with a pair of cut-leaved beech trees, of at least 1.5 metres high on planting, as near as reasonably practicable to the position of the original trees within a period of twelve months. The replacement trees will then be protected under the original Order. (Should it be decided go against this recommendation and plant the replacement trees away from the eastern boundary as indicated in the application, then Conditions Four and Five above will apply.)

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
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