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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H05-1095-22 **Date of Decision:** 20th December 2022

Applicant: Fleet Parish Council
4 Barrington Close
Holbeach
Spalding
Lincolnshire
PE12 7NH

Location: St Mary Magdalenes Church Church End Fleet Spalding

Description: Works to Fleet Tree Preservation Order No 10 2002

Detailed Description:

Works to trees in the Church Yard of St Mary Magdalenes Church, Church End, Fleet and on the adjacent Village Green area. All the trees are within Fleet Conservation Area; at least one sycamore the subject of Fleet Tree Preservation Order No 10 2002 is also involved.

' Description of works:

Selective reduction of branches overhanging the main access into the Churchyard to give 10 feet ground clearance. (Removal of low branches to enable the potential access by a hearse may be undertaken immediately).

Crown lift branches overhanging from the Churchyard on to the Village Green to give 8 feet ground clearance.

(Trim back vegetation which encroaches over the fence line between the Churchyard and the Village Green mainly brambles and some elderberry.)

Two fine young oak trees grow on the Village Green which have very low branches. Their growth form is being compromised due to competition with existing trees in the Churchyard including sycamore(s) subject of Fleet Tree Preservation Order No 10 2002. (In this year when many commemorative trees are to be planted this autumn, thought should be given when siting new trees to the proximity of existing neighbouring trees to reduce instances of such competition in the future.)

Crown lift young oak trees to give sufficient clearance to allow the operative sitting on the ride-on mower access beneath. (Once access is available great care must be taken to prevent any accidental damage to the tree trunks by the mower.) Where required, full low branches to be removed.

Northern most oak tree:

Trim back yew tree and any young sycamore saplings growing over/adjacent to the fence with the Churchyard, which encroach onto the young oak tree. Trim the canopy of the oak tree to ensure one foot clearance between the road edge and canopy.

Southern most oak tree:

Trim back elderberry and remove a leaning sycamore sapling growing over/adjacent to the fence with the Churchyard, which encroaches onto the young oak tree. Trim the canopy of the oak tree to ensure one foot clearance between the road edge and canopy.

Some minor pruning (by no more than 2.0 metres) of branches of the sycamore identified as T2 of Fleet Tree Preservation Order No 10 2002 to give clearance to the young oak could be carried out.

Prune back horse chestnut at entrance of Churchyard to give minimum vehicular clearance over road (normally 17 feet clearance in height over road.)

All tree works to be carried out to British Standard 3998 2010. All reduction works to be carried out to existing growth points.'

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'.

Notes:

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

To clarify it is assumed that the trim to 2.0 metres referred to on the sketch plan, refers to '1. skirt all trees to 2m clearance' which is a term given to crown lifting. (This is already within that covered in the description). Any immediately un-necessary pruning of the oaks should be avoided as they are likely to respond with very vigorous re-growth.

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

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.

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
Head of Planning
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