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## **TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE**

**Reference:** H06-0248-26 **Date of Decision:** 26th March 2026  
**Applicant:** Gedney Parish Council  
Hedgeview  
231 Broadgate  
Sutton St Edmund  
Spalding  
PE12 0LT  
**Location:** Queen Mother Nature Reserve Lowgate Gedney Dyke Spalding  
**Description:** Works to Gedney Tree Preservation Order No 7 2015

### **Detailed Description:**

Application to carry out works to a sweet chestnut tree on the frontage of the Queen Mother Nature Reserve, Lowgate.

The tree is the subject of Gedney Tree Preservation Order No 7 2015 and is located within Group Three.

Please see the Tree Assessment Report accompanying the Application for details.

'NT1/25 Sweet chestnut - die back in crown.  
Fell and replace.'

**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 tree should be ground out /removed 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 take care not to damage the roots of adjacent trees in the process.)

**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, 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 further sweet chestnut tree of at least 1.5 metres high on planting, to be planted as near as reasonably practicable, to the position of the original tree, within a period of twelve months. It would be advisable to plant the replacement further away from the drain within Group Three, than the original; as water logging of the roots could have been a factor in its demise. Ideally the tree should be given an appropriate tree guard to protect it from damage by small mammals until it is established.

When the drain has dried out, some watering may be advisable in dry periods; for at least the first two years; whilst its roots are developing.

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.



**Phil Norman**  
**Assistant Director - Planning and Strategic Infrastructure**  
**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:

<https://www.gov.uk/appeal-decision-about-tree-order>

Alternatively a form can be obtained by writing to Environment Appeals, Room 3A Eagle Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN or telephone on 0303 444 5000.

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:

[treeandhedgeappeals@planninginspectorate.gov.uk](mailto:treeandhedgeappeals@planninginspectorate.gov.uk)