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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H06-0947-15 **Date of Decision:** 27th November 2015
Applicant: Gedney Parish Council
231 Broadgate
Sutton St Edmund
Spalding
Lincs
PE12 0LT
Location: Queen Mother Nature Reserve Lowgate Gedney Dyke Spalding Lincs
Description: Works to Gedney Dyke Tree Preservation Order No. 7 2015

Detailed Description:

Application to carry out works on trees subject to Gedney Tree Preservation Order No.7 2015. The trees border the Queen Mother Memorial Nature Reserve, Lowgate, Gedney.

Work required per area over the next three years:

Area G3.

- *Lift crown to 2.1 m to give clearance back to edge of cut grass/ditch inside picnic area of Reserve.
 - *Selectively prune Cherry where encroaching on small oak to allow growth.
 - *Prune back selective trees to edge of concrete around picnic table and bench.
 - *Lift Crown to 5.2 m on road side to give clearance for farm traffic.
- Remove horse chestnut identified as No.3095 which has 'advanced infection with horse chestnut bleeding canker'

Area G1.

- *Lift crown to 2.1 m above walk way to edge of field.
- *Lift crown to 5.2 m from edge of walk way over field.
- *Lift crown to 2.1 m on fence line in meadow.

Area A1.

Remove all dead trees and branches.

Trim willow to clear area for young Oak to grow.

Area A2.

Remove all dead trees and branches.

Area G2.

*Lift crown to 2.1 m along fence line to meadow.

*Lift crown to 5.2 m to allow clearance of farm machinery to field side.

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 three years of the date of this decision unless otherwise agreed with the District Council. Those works preceded by an asterisk may be regularly carried out to achieve the prescribed clearance without further application for six years from the date of this decision notice, from thence a further application for works will be required.
- 2 Work is to be carried out in accordance with BSI 3998 : 2010, 'Recommendations for Tree Work'.
- 3 The resulting stumps of the trees to be removed 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 stumps harbouring decay fungi which could infect nearby trees.

Notes:

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

With regard to the horse chestnut 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. In this instance there is no requirement for replacement planting in Area A1 and Area A2, as the removal of the dead trees will allow more space for other existing young trees to grow.

It is recommended that the tree is replaced with a further tree of the horse chestnut (Aesculus) family of at least 1.5 metres high on planting, as near as reasonably practicable to the position of the original tree within a period of twelve months. It is recommended that the species chosen is Aesculus indica (Indian horse chestnut) as this does not seem to be affected by the micro-moth known as the Horse chestnut leaf-miner, Cameraria ohridella. Some sources consider the tree may also have some resistance to Phytophthora bleeding canker, but this has not been confirmed.

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.

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

Poplar trees are prone to bleeding of sap if cut during January and through the spring months and therefore works on them at this time are best avoided.

Pruning of sycamores and maples should take place in late summer or early autumn. All pruning works should be completed by mid-January to avoid problems of sap bleed.

Pruning works to species of Prunus (cherry/plum) should be carried out after flowering but before mid-July, to help prevent infection with the fungus known as silver leaf.

Silver birches should be pruned in late summer and autumn as bleeding of sap from pruning works can be a problem at other times of the year, especially so in the spring.

Please note that the removal of dead wood from a living tree can be carried out, with out the need to submit a formal application for works, providing that it is carried out to British Standard 3998 2010. The removal of dead wood is included in the description for completeness.

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