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Mrs S Price
The Coppice
5 Hillgate
Gedney Hill
Spalding
PE12 0NN

TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H07-0024-24 **Date of Decision:** 26th February 2024

Applicant: Mrs S Price
The Coppice
5 Hillgate
Gedney Hill
Spalding
PE12 0NN

Location: The Coppice 5 Hillgate Gedney Hill Spalding

Description: Works to Gedney Hill Tree Preservation Order No 1 1984

Detailed Description:

Application to remove six silver birch trees and replace them, located on the frontage of the property known as 'The Coppice', 5 Hillgate. The trees form Group Two of Gedney Hill Tree Preservation Order No 1 1984. (One tree had been removed previously under Reference: H07-0850-20)

Please see the Location Plan submitted with the Application.

To follow are extracts from the Applicant's 'Identification of Trees and Description of Works.':

'Tree numbers 5 and 6 are dead, tree number 4 is dying, and tree number 3 has a fungal disease.'

The 'Tree Preservation Officer' 'said that she would support the removal of all six silver birches under the TPO on the condition that replacements are planted to ensure a pleasing aesthetic appearance, both to my property and the highway/village. Where possible she has asked that the stumps are ground out'. Stump grinding may not be possible 'due to the proximity of the mains water pipe into my property and the risks involved'. 'It would be my intention that the replacement trees would be native silver birch trees approximately 1.5 m tall and planted in a similar position to the existing trees, allowing for future growth.'

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 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. (May not be feasible due to close proximity of mains water pipe.) Take care not to damage the roots if any 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 to replace each removed, of an appropriate size and species, at the same place and as soon as reasonably possible.

It is recommended that the 6 tree(s) are replaced with further silver birch 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 forming Group Two will automatically be covered by the existing Order.

It is strongly advised that the young trees should be regularly watered during dry periods for at least the first two years to enable their roots to properly re-establish.

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
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:

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