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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H07-0815-24 **Date of Decision:** 18th November 2024
Applicant: Mr D Ingle
36 North Road
Gedney Hill
Spalding
Lincolnshire
PE12 0NL
Location: Holy Trinity Church Hillgate Gedney Hill Spalding
Description: Works to Gedney Hill Tree Preservation Order No 1 1984

Detailed Description:

Application to carry out works to an Atlas Cedar tree in the Church yard of Holy Trinity Church Gedney Hill.
The tree is identified as T14 of Gedney Hill Tree Preservation Order No.1 1984.

'Cedar tree, southern boundary of Holy Trinity Church, Gedney Hill, identified as T14 on the TPO. Works carried out to be dead wood removal to the whole crown of the tree to stems 25 mm or more. To prune branches back from the neighbouring property, No. 17 Hillgate, by 2-3 metres or to the nearest branching point possible to execute the work. The reason for the work is that following loss of a sizeable branch last winter, due to suspected storm damage, concerns were raised about the health and safety of the tree to the neighbouring property. Branches of the tree overhang the neighbouring property and we wish to discharge our liability to the owner with regard to the potential of the tree causing damage to their property. An arborists report has been produced and is attached (Appendix 2).'

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:

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

The arborist's report may be viewed on file.

Please note that the removal of dead wood can be carried out without the need to submit a formal written application for works. All works to British Standard 3998 2010 and due regard taken of any Protected Species under the Wildlife and Countryside Act 1981 (as amended) which may be present. The removal of dead wood is included in the description for completeness.

Cedars may be pruned between November and February but pruning in frosty weather **MUST BE AVOIDED**. They may also be pruned in summer, but beware of birds nest.

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