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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H08-0156-23 **Date of Decision:** 13th April 2023
Applicant: Gosberton P C C
61 Salem Street
Gosberton
Spalding
Lincolnshire
PE11 4NQ
Location: St Peter And St Pauls Church Westhorpe Road Gosberton Spalding
Description: Works to Gosberton Tree Preservation Order No 16 1996

Detailed Description:

Trees in Gosberton Conservation Area.
Notification to carry out works to an oak tree, located to the rear of the Saint Peter and Saint Pauls Church in the north western portion of the Church yard.

In the words of the Applicant:

'Oak T1 - Canopy has grown very large and branches are very low. Needs pruning and lower branches removed.'

(Trees and Nature Conservation Officer visited the tree on 6th April 2022 and suggested: Main low branch over footpath to be removed to trunk. Low branch over triangular flower bed with grave stone in it (third branch up from base) to be removed back to the trunk. The remaining low growing branches to be trimmed to clear the footpath and adjacent conifer just coming into leaf, possibly a species of larch. All branches to be trimmed to existing growth points. Branches growing towards Church could be trimmed back, between 1-2 metre to existing growth points.)

Application to prune a lime tree, identified as T4 of Gosberton Tree Preservation Order No 16 1996. Previously pollarded under H08-0023-13.

In the words of the Applicant:

'Lime T4 - Needs large branch on RHS removed to make it stable and look better.'

(Trees and Nature Conservation Officer visited the tree on 6th April 2022 and commented: It is a matter of opinion whether the tree would look better with or without the added height to its structure given by the limb which has been allowed to remain. In strong winds it probably does look unstable. The fresh growth could be trimmed back, to prevent it becoming too heavy.

Should the added height be removed, one is effectively left with a straight branchless trunk, from which will no doubt sprout, some epicormic growth. At this point it is questionable whether the time has come to remove the tree and grind out the stump and plant a new lime tree.)

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.

Please read 'Conditions' as 'Recommendations' for the oak tree, which is protected by virtue of it being in the Conservation Area.

Other than the removal of dead wood lime trees should preferably be pruned in late July and August or alternatively in the autumn months. Avoid pruning from the end of January onwards, as the bleeding of sap may be a problem.

If at some point it is decided to remove the lime a further Application will require to be submitted.

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