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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H08-0343-25 **Date of Decision:** 2nd June 2025

Applicant: Mr N Howell
61 High Street
Gosberton
Spalding
Lincolnshire
PE11 4NJ

Location: 61 High Street Gosberton Spalding

Description: Works to Gosberton Tree Preservation Order No 12 1988

Detailed Description:

Application to carry out works to trees in the grounds of 61 High Street.

The site is within Gosberton Conservation Area, and contains trees the subject of two Tree Preservation Orders.

Please see the plan and accompanying Arboricultural Report, and annotated photographs indicating the extent of pruning within the report.

The walnut close to the house is identified as T3 of Gosberton Tree Preservation Order No. 1 1957 and '2' on the plan accompanying the Arboricultural Report.

Due to the condition of the walnut the following works were recommended in the report.:

'Core Recommendation:

Reduce upper southern leader by removing single limb from apex as shown in images 1, & 2. These works are of a moderate priority.

Discretionary Recommendations:

During work to upper S leader, request arborist to pass opinion on degree of hollowing at Inonotus hispidus decay point, and to get close-up photos.

Reduce heavy lateral to N over neighbouring summer house from 10.5 m in length to 9-9.5 m in length. Cuts must not exceed 50 mm diameter.

Remove deadwood greater than 50 mm diameter.

Prune to give 1.5 m clearance from client and neighbouring dwelling. Requiring cuts up to approximately 50 mm diameter.

Cut iron work on stem at single point at 0.5 m to E. Leave iron work in situ.'

Other tree works required, as recommended in Arboricultural Report, forming part of the identification plan.

Lime on frontage identified as T4 of Gosberton Tree Preservation Order No. 1 1957 and '1' on the plan accompanying the Arboricultural Report.

'1 lime Remove dead wood and reduce to growth points.

'6,7,8,9 Ash' Protected due to Conservation Area.
'Remove 4 small ash trees to allow more space for larger nicer trees. The 4 trees have various issues from fire damage, being unsafe from significant movement in main trunk and growing diagonally.'

Silver birch in rear garden near 'eastern' boundary within Group One of Gosberton Tree Preservation Order No. 12 1988 and identified as '10' on the plan accompanying the Arboricultural Report.

'10 Silver birch' 'Remove, main leader failure and open cavity. Not in good health. Replace with 3 new silver birch trees.'

'11' species not identified by Consultant Arboriculturalist, in front garden near south eastern boundary, protected due to Conservation Area.
'Unsafe tree, huge cavity and fungal infection at base. Significant risk of failure and damage to brick piers'.
Suggest remove.

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/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. (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.

Please read 'Conditions' as 'Recommendations' for those trees within the Conservation Area but not the subject of a Tree Preservation Order.

Please note that the removal of dead wood can be carried out without the need to submit a formal written Application/Notification 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.

In this instance as it is recommended by the Arboricultural Consultant that two additional silver birch are planted, there is no requirement for the usual replacement of trees felled due to poor condition protected due to their Conservation Area status alone.

Walnut trees should only be pruned in late July and early August when they are in full leaf. If they are holding their leaves well they may be pruned into September and exceptionally into October. If pruned at other times of the year, a walnut tree is likely to bleed sap profusely which could be detrimental to its health.

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.

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 to replace the silver birch tree. (It was noted that Gosberton Tree Preservation Order No. 12 1988 had four silver birch trees growing within Group One; although Group One now also encompasses the adjoining property at 61A High Street, their seemed to be evidence of silver birch trees having been removed from 61 High Street.) The Arboriculturalist Report recommends that '3 new silver birch trees' be planted to replace '10' in line with '10' to the rear of the garden. This will help compensate for the other preserved silver birch trees that appear to have been removed and not replaced.

If a preserved tree is removed the replacement then becomes subject of that Order. If the Applicant is in agreement will assume that all three replacement silver birch are to be subject of the Order, rather than just the one required replacement linked to this Application. Please confirm to Trees and Nature Conservation Officer with regard to this aspect.(dfairchild@sholland.gov.uk).

It is recommended that tree '10' is replaced with a further silver birch of st 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.

Please inform the Local Planning Authority as soon as replanting has taken place and indicate the position of the replacement tree(s), 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