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Mr Michel Stevens
2 Salem Street
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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H08-0400-19 **Date of Decision:** 3rd June 2019

Applicant: Mr Michel Stevens
2 Salem Street
Gosberton
Spalding
Lincs
PE11 4NQ

Location: 2 Salem Street Gosberton Spalding Lincs

Description: Works to Gosberton TPO No. 014/06/1989

Detailed Description:

Notification to carry out works on trees within the garden of Crossways, 2 Salem Street, Gosberton. Please see the plan accompanying the Notification for the position of the trees.

Plan Reference Proposed works

Tree 1. Tree likely to be a bird cherry (Prunus padus). 'It is a beautiful well shaped tree which has a brilliant white blossom about to burst out. However, it is on my front boundary where the road is a bus route. The branches are now so long they are hitting the buses when they drive by. The tree therefore needs to be reduced in shape and character retained. It is a tree which will probably need controlling in size every 5/8 years or so.

Tree 2 This was a traditional Christmas tree planted by the previous owners which has died following last summer's heat wave.
This therefore needs to be removed. I plan on planting either Crataegus laevigata "Pauls scarlet" or Acer pseudoplatanus Brilliantissimum on the spot marked X next to this location, probably the latter.'

Tree 3 Likely to be a cork screw willow tree. 'This tree is a beautiful tree when in full leaf but needs a general tidy up as there is quite a lot of dead wood in it which is constantly falling out; it would also help to trim it back to encourage it to fill in a little with new growth. There is some

sign of possible disease but it is not significant and appears to be manageable for the time being.'

Notification by e-mails of Sat 27/04/2019 18:05 and Sun 28/04/2019 14:21 from the applicant: Following windy weather on 27th April 2019, the tree appeared totally unstable and felling was considered; on the 28th April 2019, it was 'decided, as a result of a drop in wind speed not to fell the tree but to remove the top and some of the sides of the tree in order to make the tree safe in the sort term', to be dismantled when approval received.

Tree 4 'Although this is marked as an unknown species I believe this to be a laurel which has formed into a tree on the boundary with a neighbour. This is a beautiful tree all year round and fruits very heavily in the summer.'
The tree 'needs to be reduced in size but the shape and character retained. It is a tree which will probably need controlling in size every 5/8 years'

Tree 5 'This is a beautiful silver birch which has grown in height and which also overhangs the properties of two different neighbours. When we have strong south westerly winds the tree does look worryingly unstable given the angle of lean towards my newly roofed outbuildings. I think that it is very important to reduce the height of this tree by between 25% and 33% but at the same time ensure that its shape is not in any way diminished so that the aesthetics remain the same albeit reflected in a slightly smaller tree.'

Following notification by an e-mail of Sun 28/04/2019 14:21 from the applicant:
this identified a further dead tree.
'Tree "Species not known" on the right of the Entrance gates referred to in' plan accompanying the Notification' (on south side of gates) 'Should this tree fall within the Conservation Area I would also need your permission to remove this tree.'

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 two years of the date of this letter of 'No Objection'.

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 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.

Pruning works to species of Prunus (cherry/plum) should be carried out after flowering but before mid-July; to help reduce the risk of infection by 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.

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.

It is recommended that Tree 2, the 'Christmas tree' (likely to have been a Norway spruce) is replaced with a Crataegus laevigata ''Pauls scarlet'' or Acer pseudoplatanus Brilliantissimum of at least 1.5m high on planting; on the spot marked X next to this location (Please see location plan which accompanies the Notification) this is as near as reasonably practicable to the position of the original tree, within a period of twelve months. The tree identified as T3 (likely to be a corkscrew willow) to be replaced with either replacement tree species mentioned or an alternative small growing ornamental tree as near as reasonably practicable to the position of the original tree, within a period of twelve months.
Similarly 'Tree '"Species not known" on the right of the Entrance gates referred to in' plan accompanying the Notification (on south side of gates) to be replaced with a species of the Sorbus (whitebeam / rowan) family or an alternative small growing ornamental tree, of at least 1.5m high on planting, as near as reasonably practicable to the position of the original tree, within a period of twelve months.

Modifications may be agreed in writing with the Local Planning Authority.

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 contact Natural England on Tel: 03000 603900 before works proceed.



Phil Norman
Planning and Building Control 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 adn return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk