Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

Mrs S Brown
Apple Tree Farm
Cawood Hall
Cawood Lane
Gosberton
PE11 4HB

TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H08-0938-22 **Date of Decision:** 21st November 2022

Applicant: Mrs S Brown
Apple Tree Farm
Cawood Hall
Cawood Lane
Gosberton
PE11 4HB

Location: Apple Tree Farm Cawood Hall Cawood Lane Gosberton

Description: Works to Gosberton Tree Preservation Order No 3 1968

Detailed Description:

Trees within the grounds at the frontage of Apple Tree Farm, Cawood Hall. The trees are located within Area One of Gosberton Tree Preservation Order No 3 1968.

'Fell four diseased horse chestnut trees which constitute a safety risk.

Inspected and approved by 'Trees and Nature Conservation Officer'. Please see notes below.

'Location of exact trees on attached map.'

Red horse chestnut. Immediately adjacent to new dwelling, to west of entrance driveway. Good leaf cover. Contains a substantial cavity in the trunk which looks to have been there a considerable time. Now dwelling is within falling distance, a potential danger, due to weakness in the trunk.

Red horse chestnut. Immediately to the north of that described previously, to west of entrance driveway. Good leaf cover. Trunk in poor condition due to previous damage. Due to active use of immediate area surrounding this tree, now potentially a danger.

Dead tree to east near a lime tree. Not 100% sure of species. (Applicant notes it is a horse chestnut).

White horse chestnut. Vigorous healthy-looking tree on frontage which unfortunately has an enormous basal cavity beneath the trunk, making it liable to windthrow potentially over the driveway.

Four horse chestnut trees which require removal due to safety issues heightened by proximity to dwelling.

Due to various soakaways/services/driveway, suitable positions for replacement planting are limited; potentially smaller growing replacements than the originals could be considered.

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. (Take care not to damage the roots of adjacent trees).

Notes:

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

It may be advisable to obtain the opinion of a qualified arboriculturist regarding the potential effect that the removal of the trees could have on nearby built structures.

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 tree(s) are replaced with at least one red or white, horse chestnut tree and three potentially much smaller growing trees of at least 1.5 metres high on planting, to be located as near as reasonably practicable, to the position of the original trees, within a period of twelve months. (Ideally somewhere within Area One of the Order, so that they are in turn protected by the original Order).

Could consider other moderate water demand species such as paperbark maple (Acer griseum), whitebeam (Sorbus aria) or golden alder (Alnus incana 'Aurea'.)

Modifications to the re planting details may be agreed 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 inform Natural England on Tel: 03000 603900 before works proceed. Often bats are found in cavities in horse chestnut trees, so please take particular care to monitor the trees prior to felling for bat activity, and thoroughly inspect cavities prior to felling.



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:

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 and return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk