Mrs L Mitchell
17 Dam Gate
Holbeach
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PE127BH

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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H09-0894-20 **Date of Decision:** 3rd December 2020

Applicant: Mrs L Mitchell
17 Dam Gate
Holbeach
Spalding
Lincs
PE127BH

Location: 17 Dam Gate Holbeach Spalding

Description: Works to Holbeach Tree Preservation Order No 2 1959

Detailed Description:

Application regarding a mature beech tree in the front garden of 17 Dam Gate. The tree is located within Group One of Holbeach Tree Preservation Order No 2 1959.

'Beech', 'tree is diseased with fungus and has large hole at base of trunk, needs to be removed immediately'

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 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 stump of the tree should be ground out to at least 300mm below ground level, unless otherwise agreed with the District Council, to help reduce the risk of the stump harbouring decay fungi which could infect nearby trees.

Notes:

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

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 the tree is replaced with a beech tree of at 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. (Ideally protect with a tree guard, to help prevent voles from nibbling the bark in frosty weather whilst the tree is young. A stake to hold the tree is advisable, adjust the tree ties as the tree grows and remove when its roots have become firmly anchored. Watering in dry conditions particularly in the first year to help its roots become established is strongly recommended.)

Please inform the Local Planning Authority as soon as replanting has taken place and indicate the position of the replacement tree. 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.

(Ideally a replacement as described above should also be planted to replace the beech tree which has recently fallen. Both replacement trees will be protected under the original Order.)



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 and return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk