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TOWN AND COUNTRY PLANNING ACT 1990

PART APPROVED - PART REFUSED

Reference: H11-0275-22 **Received:** 14th March 2022
Applicant: Mr Gary Thornhill
Winfrey House
Bull Lane
Long Sutton
Spalding
PE12 9HA
Location: Winfrey House Bull Lane Long Sutton Spalding
Description: Works to Long Sutton Tree Preservation Order 9 1988 and
Tree Preservation Order 16 1991

Detailed Description:

Application with regard to the two lime trees on the frontage of Winfrey House, Bull Lane.

Both trees are within Group One of Long Sutton Tree Preservation Order No 9 1988, and in Group One of the updated Long Sutton Tree Preservation Order No. 16 1991.

'Qty 2 Mature Lime trees within area designated G1, at front of property adjacent to Bull Lane.

To carry out pollarding of the above trees to a height of approximately 10', due to adverse shading and proximity to property. Trees previously subjected to harsh pollarding and have decay at knuckles. Applicant indicates that the presence of decay has implications for the refusal of property insurance.'

- 1 **Part A of this Decision concerns the Western most lime tree.**
South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):
- 2 That the proposed work is carried out within two years of the date of this decision unless otherwise agreed with the District Council.
- 3 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.

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.

It was noted that this tree was infected by *Kretzschmaria deusta*, rendering it likely to stem failure.

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.

4 Part B of this Decision concerns the Eastern most lime tree.

South Holland District Council hereby give notice that permission has been **REFUSED** for the above proposal for the following reason(s):

In the Application Form the box 'Condition of the tree(s) - e.g. it is diseased or you have fears that it might break or fall', the No box has been ticked.

The works proposed:

'To carry out pollarding of the above trees to a height of approximately 10', due to adverse shading and proximity to property. Trees previously subjected to harsh pollarding and have decay at knuckles. Applicant indicates that the presence of decay has implications for the refusal of property insurance.'

If there are no fears that the tree may break or fall why should the tree have implications for the refusal of property insurance?

As already quoted the Application states 'Trees previously subjected to harsh pollarding and have decay at knuckles.'

Normally when completely re-pollarding, pollarded trees, they are cut back to the previous pollard cuts or to sound wood, which is unlikely to make them lower than approximately 2' from their previous height.

The Application presents no evidence whatsoever, to justify the reduction of the lime tree concerned to 10'.

Such works would further damage the tree, and promote lower re-growth potentially causing greater conflict with adjacent dwellings and the public footpath.



Phil Norman
Planning Manager
South Holland District Council

11th May 2022

BUILDING REGULATIONS:

This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

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