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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H11-0307-21 **Date of Decision:** 30th April 2021

Applicant: Mrs K Kitchingman
Hall Marsh House
54 Little London
Long Sutton
Spalding
PE12 9LE

Location: Hall Marsh House 54 Little London Long Sutton Spalding

Description: Works to Long Sutton Tree Preservation Order No 33 2006

Detailed Description:

Application to remove a young walnut tree located within the garden of Hall Marsh House, 54 Little London, Long Sutton.

The tree is located within Group Two of Long Sutton Tree Preservation Order No 33 2006.

'The tree in question is the Walnut tree, massive heavy branches fallen very irregularly and we have young children so we aren't allowing them to play in this section of the garden, the tree is also very close to our staff office and we of course worry for them too, we would like to remove the tree and plant another walnut elsewhere in the garden as our conversation with' South Holland District Council's Trees and Nature Conservation Officer 'was that it seems hugely effected by high winds so she did mention that this particular tree on our TPO could be in a wind tunnel'

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.

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

Please be aware that walnut veneer has some value.

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 further walnut 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 the replacement should be within the area of the Tree Preservation Order marked as Group Two on the plan, but as far away from any buildings as possible. The new tree will then automatically be covered with the protection of the original Order. (It is more important to achieve the distance between existing or foreseeable built structures, than the planting it within Group Two, as once established it may be feasible to make it subject to an individual Order. Please have regard how large such trees grow; there is likely to only be space for one).

Regular watering in dry periods is strongly recommended until fully established. The tree will then be able to take advantage of the long day light hours of spring and summer to establish its roots rather than fighting in the hot sun to survive.

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.



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