

Mr P Gooch
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TOWN AND COUNTRY PLANNING ACT 1990

WORKS TO A PRESERVED TREE

Reference: H11-0726-19 **Date of Decision:** 25th September 2019
Applicant: Mr P Gooch
1 Winfrey Close
Long Sutton
Spalding
Lincs
PE12 9FN
Location: 2 Winfrey Close Long Sutton Spalding
Description: Works to Long Sutton TPO No. 16 1991

Detailed Description:

Application to carry out works to trees in the garden of 2 Winfrey Close. The trees are within Group One of Long Sutton Tree Preservation Order No. 16 1991.

- '1. Alder crown lift to allow cutting of lawn.
2. North Western corner remove dead cherry and poor specimen of silver birch.
Replace with Acer Crimson King.
3. Flowering cherry over shadow conservatory.
Remove and' replace 'with a cherry to the east.'

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 stumps of the trees to be removed 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 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.

In the case of the dead cherry 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 as in the application that the tree is replaced with an Acer 'Crimson King', 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.

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.

The cherry tree to be removed which overhangs the conservatory; appears not to be the subject of the above Tree Preservation Order, being only protected by virtue of it being in the Conservation Area. The planting of a replacement nearby to the east as described in the application would be encouraged, but is not a requirement.

Please read Conditions as Recommendations for any trees that are within the Conservation Area, but are not the subject to a Tree Preservation Order.

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

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