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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H13-0202-23 **Date of Decision:** 26th April 2023

Applicant: Lincolnshire County Council
Lancaster House
36 Orchard Street
Lincoln
Lincolnshire
LN1 1XX

Location: 3 Bell Lane Moulton Spalding

Description: Works to Moulton Tree Preservation Order No 3 1966

Detailed Description:

Application to remove a mature sycamore referred to as T2 of Moulton Tree Preservation Order No 3 1966 on the frontage of 5 Bell Lane.

Please see the plan accompanying this Application where it is identified as T1.

'T1 - Sycamore - a tree in decline having recently received a minor reduction, the tree has a large cavity in the main stem at approx 2m height, resistograph test at this point indicated decay - see attached resistograph trace.
Action - fell, stump grind. Replacement planting'.

Please note that the tree with minor reduction is referred to as T2 of the Order, and is growing on the frontage of 5 Bell Lane and not as indicated in the Application on the frontage of 3 Bell Lane.

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 stump of the tree 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 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 arboriculturalist regarding the potential effect that the removal of the tree could have on nearby built structures.

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 sycamore of at least 1.5 metres in height on planting as near as reasonably practicable, to the position of the original tree, within a period of twelve months.

Modifications to the 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 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
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:

https://www.gov.uk/appeal-decision-about-tree-order

Alternatively a form can be obtained by writing to Environment Appeals, Room 3A Eagle Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN or telephone on 0303 444 5000.

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:

treeandhedgeappeals@planninginspectorate.gov.uk