Mr J D Heron
1 Fairway Drive
Moulton Seas End
Spalding
PE12 6HX

Council Offices
Priory Road
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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H13-0436-22 **Date of Decision:** 11th July 2022

Applicant: Mr J D Heron
1 Fairway Drive
Moulton Seas End
Spalding
PE12 6HX

Location: 1 Fairway Drive Moulton Seas End Spalding

Description: Works to Moulton Seas End Tree Preservation Order No 4 1994.

Detailed Description:

Application with regard to a Blue Atlas cedar tree in the garden of 1 Fairway Drive.

The tree is identified as T6 of Moulton Seas End Tree Preservation Order No 4 1994.

'Atlas cedar TF32130 27226 (Cedrus atlantica) T6. Preferably permission to cull this tree or failing this to severely prune it to clean and reshape.'

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 Assuming that the tree is felled. 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, assuming the tree is to be removed, 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 either a :
1. Sorbus aria 'Lutescens' Whitebeam, or
2. Sorbus Rowan Commixta, or
3. Laburnum Laburnocytisis Adamii. (Please note that the latter is poisonous), to be 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 and species 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 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