Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764723
DC Officers 01775 764703
facsimile 01775 762937
planningadvice@sholland.gov.uk
www.sholland.gov.uk

South Holland I D B
Marsh Reeves
Foxes Lowe Road
Holbeach
Spalding
PE12 7PA

TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H13-0691-20 **Date of Decision:** 19th October 2020

Applicant: South Holland I D B
Marsh Reeves
Foxes Lowe Road
Holbeach
Spalding
PE12 7PA

Location: Eastern Bank Of Moulton River Moulton Spalding

Description: Works to Moulton Tree Preservation Order No 15 2009

Detailed Description:

Application to remove a moribund sycamore tree from the eastern bank of Moulton River, immediately to the north of the property known as 12 Hall Gate, Moulton.

The tree is within Group One of Moulton Tree Preservation Order No. 15 2009.

'To remove a dead sycamore tree from the '(eastern bank)' as discussed with SHDC trees and Nature Conservation Officer.'

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.

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. (Ideally the tree should be staked and have an appropriate guard to protect the bark from being eaten by mammals whilst becoming established; these to be removed once the tree is fully established).

It is known that Internal Drainage Boards have bye-laws restricting the planting of trees near drains, unless special dispensation is given. In this instance it would be appreciated if consideration could please be given to the planting of a replacement sycamore tree in close proximity to the original; where it will not cause any more obstruction on the eastern bank of the drain than the original. Access being easily available from the opposite bank in any case.

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