

Moulton Parish Council
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Spalding
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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H13-0848-15 **Date of Decision:** 28th October 2015

Applicant: Moulton Parish Council
C/O Bucephala
Lapwater Lane
Holbeach St Marks
Spalding
PE12 8EX

Location: All Saints Churchyard High Street Moulton Spalding

Description: Works to Moulton Tree Preservation Order No 7 1986

Detailed Description:

Application to carry out maintenance works to trees within the grounds of All Saints Church yard, Moulton. The trees are subject of Moulton Tree Preservation Order No. 7 1986 (within Area One) and are also within Moulton Conservation Area.

Reference numbers refer to the schedule and plan attached to the decision notice.

The following works are listed for immediate attention:

1. No.10 Horse chestnut, (infected by decay fungi, has a cavity in the trunk) to be removed.
2. No.14 Remove sycamore sucker(seedling).
3. No.16 Remove oak suckers(seedlings).
4. No.32 Remove conifer in the middle of grave and transplant.
5. No.48 Remove field maple sucker(seedling).
6. No.61 Remove ash and horse chestnut sucker (seedling).
7. No.76 remove yew sucker (seedling).

Those other works listed on the attached schedule forming part of the application/notification may also be carried out. Where pruning works are recommended the minimum works to suffice the requirement may be undertaken.

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 horse chestnut tree 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 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.

Please read conditions as recommendations for any works to trees which are within the Conservation Area but are not subject to the Tree Preservation Order. (Those which are not replacements to previous preserved trees, which arrived in the churchyard after the Order was served in 1986 but which have a trunk diameter measured over the bark of over 75mm at 1.5m from ground level).

Please note that the removal of dead wood can be carried out without the need to submit a formal application for works, as long as carried out to British Standard 3998 2010. The removal of dead wood is included in the description for completeness.

With regard to the horse chestnut 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 a further tree of the horse chestnut (Aesculus family) as near as reasonably practicable to the position of the original tree within a period of twelve months. The tree to be maintained until established.

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.

Modifications to the details may be agreed with the Local Planning Authority.

Ideally the seedlings should be removed and transplanted whilst dormant, October/November to March/April.

Pruning of sycamores/maples should ideally take place in late summer or early autumn. All pruning works to sycamores should be completed by mid-January to avoid problems of sap bleed.

Ideally horse chestnuts should be pruned after leaf fall but before February. Avoid pruning horse chestnuts in the spring months directly prior to and immediately after bud opening as bleeding of sap from pruning cuts may be a problem.

Ideally major pruning works to yews should be carried out in May (but avoid works if birds nesting), although minor trimming works to a yews may be carried out in August or September.

Pruning works to species of Prunus (cherry/plum) should be carried out after flowering but before mid-July to help reduce the likelihood of infection by the fungus known as silver leaf.

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 at their Lincoln office on 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 at their Lincoln office on 03000 603900 before works proceed.



Paul Jackson
Place 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