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South Holland Internal Drainage Board
Marsh Reeves
Foxes Lowe Road
Holbeach
Spalding Lincs
PE12 7PA

TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H13-0852-17 **Date of Decision:** 2nd October 2017

Applicant: South Holland Internal Drainage Board
Marsh Reeves
Foxes Lowe Road
Holbeach
Spalding Lincs
PE12 7PA

Location: 90a Church Lane Moulton Spalding

Description: Works to Moulton TPO No. 9, 1991

Detailed Description:

Application in relation to two beech trees formerly on the western bank of Moulton River (now piped) on the eastern boundary of Moulton Park. The trees now appear in the garden of 90a Church Lane, Moulton.

The trees are identified as T1 and T3 of Moulton Tree Preservation Order No. 9 1991.

Both trees are infected by the decay fungi known as Meripilus giganteus, which can decay the roots making them liable to wind throw.

'The beech trees now need removing due to fungal growth and danger of falling onto nearby houses.'

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 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 this case the duty of the landowner is to plant another tree to replace each removed,of an appropriate size and species, at the same place and as soon as reasonably possible.

Due to Internal Drainage Board Byelaws it is not allowed to plant the trees in the same place as the originals. In this instance, it will therefore be permissible for them to be planted as near as practicable in the adjacent Moulton Park.

It is recommended that the tree(s) are replaced with two beech trees or alternatively hornbeam trees of at least 1.5 metres in height on planting, to be adequately fenced from stock; staked and protected with tree guards to help prevent hare, rabbit or vole damage whilst becoming established. Any tree ties to be checked and adjusted as the trees grow. (Ideally the trees should be watered in dry weather for the first year or two, to help ensure that they become quickly established).

It is recommended that the replacement trees are planted within twelve months of felling the originals.

Please inform the Local Planning Authority as soon as replanting has taken place and indicate the position of the replacement trees. 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 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 adn return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk