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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H14-0658-20 **Date of Decision:** 6th October 2020

Applicant: Mr T Waltham
5 Dairy Close
Pennyfield
Pinchbeck
Spalding

Location: 5 Dairy Close Pennyfield Pinchbeck Spalding

Description: Works to Pinchbeck Tree Preservation Order No 8 1990

Detailed Description:

Application to carry out works on trees situated near the boundary in the rear garden of 5 Dairy Close, Pinchbeck. The trees are the subject of Pinchbeck Tree Preservation Order No 8 1990. Please refer to the plan accompanying the application for identification of the trees in question. In the garden of 5 Dairy Close the numbers correspond to those used to identify the trees in the Tree Preservation Order.

'Tree 7
Salix species Willow
A multi-stemmed old pollard tree now in very poor condition; one stem has failed since last inspection, the 4 remaining stems have been pollarded at approx, 5m; the tree has extensive decay in all stems and the base, including large cavities. The tree is structurally weak and presents a high risk of failure, to the house and neighbour.
Recommend to seek consent for removal and replacement planting with Himalayan birch.'

'Tree 9
Salix species Willow
This was a 3 stemmed old pollard when inspected in 2019. One stem was removed and one stem failed during a winter storm. The remaining stem was pollarded at approx. 5m. This stem has extensive decay and also in the base. The tree is structurally weak; the high and heavy crown weight will cause excessive stress on the decaying base, which presents a high risk of failure. The

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remaining stem does have a lean to the garden.
Recommend to apply to re-pollard the stem at approx. 2m in winter, to try and retain the tree.

Tree10:
Salix species Willow.
A twin-stemmed tree in poor condition; extensive decay of the stems and base, including a large basal cavity. The stems were pollarded at approx. 5m in the autumn and have responded well. There is no sound wood at the base of the tree on the south side to provide anchorage. The risk of failure is high due to too much crown weight in relation to basal strength. The stem on the neighbour side has a large vertical area of stem decay.
Recommend to apply to remove the western (neighbour) side stem and re-pollard the remaining stem at approx. 2m in winter.

Tree 11:
Salix species Willow
A 4 stemmed tree probably arising as regrowth from an old large tree failure in the past. The stems were re-pollarded at approx. 5m in 2019. All stems and the basal stool have extensive decay, and are hollowing. The stem nearest the neighbour is growing over their shed and appears to be being cut back by the neighbour. The other stem on the neighbours side is leaning.
The tree is structurally weak; the high and heavy crown weight will cause excessive stress on the weak and decaying basal stool. This presents a high risk of failure, especially to the neighbour.
Recommend to apply to remove the two western (neighbour) side stems and re-pollard the remaining stems at approx. 2m in winter.'

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 Tree 7, 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.

It was noted by the Trees and Nature Conservation Officer from South Holland District Council with regard to Tree 11:
The south south eastern most stem had a strip of decay along a large section of the inner stem partially obscured by ivy growth. If when this stem is pollarded to 2 metres it is found that the decay is excessive and unable to realistically support the long term re-

growth at 2 metres then it may be removed under this consent.

With regard to Tree 7, 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 Himalayan birch 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 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.

Please note that the replacement trees are subject to the original Tree Preservation Order.

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