

Lindum Group
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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H14-0911-19 **Date of Decision:** 30th October 2019

Applicant: Lindum Group
Lindum Business Park
Station Road
North Hykeham
Lincoln
LN6 3QX

Location: Former: Pinchbeck Dairies Pennyfield Pinchbeck Spalding

Description: Works to Tree Preservation Order No. 8, 1990

Detailed Description:

Application to carry out works to willow trees which grow on the northern and north western boundary of the former Pinchbeck Dairies site, off Pennyfield. and are the subject of Pinchbeck Tree Preservation Order No.8 1990. The trees have recently been incorporated into the development known as Dairy Close.

Please see the plan accompanying the application for the location of individual trees. Some of the trees included are within the same line as the preserved trees but are not actually subject to the Order.

Please also see the photographs accompanying the application and for reference an earlier Tree Survey.

"Willow Trees T1 and T3

Proposal: Pollard to historic cut height (approx. 5-6m).

Horse Chestnut T2

Proposal: No works.

Willow T4

Proposal: Pollard to historic cut height (approx. 5-6m).

(Willows A and B

Proposal: Remove due to poor condition and replace with 2 no. Whitebeam in similar vicinity.)

Willow T5

Proposal: Pollard to historic cut height (approx. 5-6m).

Willow T6

Original Proposal: Pollard to historic cut height (approx. 5-6m).

Following the removal of the ivy at the base, the tree is rotten / hollow at the base.

REVISED PROPOSAL: Remove due to poor condition and replace with 1 no. Whitebeam in similar vicinity.

Willow T7

Proposal: Pollard to historic cut height (approx. 5-6m).

Willow T8

Proposal: Remove due to poor condition and replace with 1 no. Whitebeam in similar vicinity.

Willow T9

Proposal: Condition to be assessed following removal of dense Ivy growth. Condition questionable given the significant leaning over boundary into No.12 Mayfield Close.

REVISED PROPOSAL: Remove overhanging branch of T9 to prevent future damage to neighbouring properties.

Willow T10

Proposal: Pollard to historic cut height (approx. 5-6m).

Willow T11

Proposal: Pollard to historic cut height (approx. 5-6m).'

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 for each Preserved tree removed, of an appropriate size and species, at the same place and as soon as reasonably possible.

It is recommended that the tree(s) are replaced with whitebeams (*Sorbus aria*) of at least 1.5m in height on planting as near as reasonably practicable to the position of the original trees 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 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 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