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

Mrs P Portas
13 Wayet Road
Pinchbeck
Spalding
PE11 3RR

TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H14-1008-20 **Date of Decision:** 22nd December 2020

Applicant: Mrs P Portas
13 Wayet Road
Pinchbeck
Spalding
PE11 3RR

Location: 13 Wayet Road Pinchbeck Spalding

Description: Works to Pinchbeck Tree Preservation Order No 6 1989

Detailed Description:

Application to carry out works to silver birch trees the subject of Pinchbeck Tree Preservation Order No. 6 1989 in the garden of 13 Wayet Road.

T9 silver birch. Selective reduction of particular branches which extend beyond the main canopy by up to 50%.
Prune the remainder of the canopy where required to leave it structurally balanced with an aesthetically pleasing appearance. All cuts to be made to existing growth points.

T11 silver birch. Mature tree with many dead branches. Has reached a point where it may be removed and a replacement planted nearby. (Alternatively selective extended branches may be pruned back to existing growth points by up to 50%, the remainder pruned to balance).

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 Should the silver birch tree (identified as T11 of the Order) be removed the resulting stump of the tree should ideally be ground out/removed 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. (Following on site discussion the stump may be kept for the benefit of wildlife, but if decay fungi fruiting bodies are in evidence it really should be removed for the benefit of neighbouring birch trees.)

Notes:

The necessary consent of all other interested parties should be obtained before the works proceed.

Silver birches should be pruned in late summer and autumn as bleeding of sap from pruning works can be a problem at other times of the year.

Should the silver birch tree (identified as T11 of the Order), be removed, 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.

Should the silver birch tree (identified as T11 of the Order) be removed, it is recommended that the tree is replaced with a further silver birch tree 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.

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

DC_FINAL_DECISION - ODB:14

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