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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H16-0116-23 **Date of Decision:** 30th March 2023

Applicant: S Stagles
5 Two Plank Lane
Spalding
Lincolnshire
PE11 3QT

Location: 5 Two Plank Lane Spalding

Description: Works to Spalding Tree Preservation Order No 37 1989

Detailed Description:

Application to carry out works on a mature sycamore tree located immediately to the rear of 5 Two Plank Lane.

The tree is identified as T2 of Spalding Tree Preservation Order No 37 1989.

Please see the aerial plan describing the location and annotated photograph accompanying the Application.

'T1 -V large sycamore. The tree has a very wide, as well as very tall crown which dominates the small houses behind, including the applicants house whose garden the tree is. Permission is sought to crown raise the tree by removal of lower primary and secondary limbs (extent of raise shown in annotated photographs - a meterage is hard to accurately gauge so a photograph has been included to accurately show the requested crown raise). Raising the crown will bring more light into the gardens and houses behind the tree without compromising its appearance or necessitating the requirement for maintenance pruning in the future - as would be the case with an all over reduction. The requested crown raise balances reducing the dominating factor (in summer the tree blocks the garden and house almost entirely) with the need to preserve the tree as an attractive 'typical form for species' tree with high amenity value.' (Please see the accompanying notes below.)

South Holland District Council hereby give notice that permission 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'. Please pay particular attention to section 7.2.4 point 5 below Table 1 and NOTE and section 7.6.

Notes:

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

The tree has been regularly pruned in the past which has included a degree of crown lifting. There are therefore a number of wounds which have not fully occluded, potentially inviting decay and weakening the overall structure of the tree in the vicinity of the proposed branches to be removed. Where there is likely to be more than one wound in close proximity should the works go ahead; for example with the branch which overhangs the footpath; it is strongly advised that the branch is taken back to a convenient existing growth point at a distance from the main stem. This to prevent the forming of wounds in close proximity which could potentially undermine the structural integrity of a substantial proportion of the tree.

Pruning of sycamores should 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.

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
Head of Planning
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:

<https://www.gov.uk/appeal-decision-about-tree-order>

Alternatively a form can be obtained by writing to Environment Appeals, Room 3A Eagle Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN or telephone on 0303 444 5000.

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:

treeandhedgeappeals@planninginspectorate.gov.uk