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Mrs Amanda Johnson
First Port
1 & 2 Georgian Court
Haverfield Road
Spalding Lincs
PE11 2QT

TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H16-0173-18 **Date of Decision:** 16th April 2018

Applicant: Mrs Amanda Johnson
First Port
1 & 2 Georgian Court
Haverfield Road
Spalding Lincs
PE11 2QT

Location: First Port 1 & 2 Georgian Court Haverfield Road Spalding Lincs

Description: Works to Spalding TPO No. 18, 1985

Detailed Description:

Application for permission to carry out works on trees within the grounds of Georgian Court. The whole site is within Spalding Conservation Area and some of the trees are the subject of Spalding Tree Preservation Order No. 18 1985. Please see the site plan accompanying the application, for the position of trees. (Identification numbers are as on the list below and in general do not reflect those in the Tree Preservation Order, two trees are given an additional number of an identification tag from a previous survey).

Description as on application with additional words of clarification in brackets added on 12th April 2018 following discussion with the applicant.

1. To remove tree as leaning near public footpath as agreed with The Local Authority Trees and Nature Conservation Officer, (Silver birch).

2. (Tree Preservation Order No.T2). To trim overhanging branches near to public footpath and rubbing branches (Norway maple).

3. (Tree Preservation Order No.T4). To trim overhanging branches and shape tree (Norway maple). (Trim by no more than 2 metres at maximum point, roughly to where pruned before, by pruning to existing growth points; to improve shape, try to leave some of the smaller branch tracery/buds.)

4.(Tree Preservation Order No.T6) Birch tree leaning towards building also branches closer than 3 metres from building. (Selective reduction of branch with cavity to leave it at an acceptable level of safety, also selective reduction to give clearance from building of 3 metres.)

5. Sycamore (3058). Branches too close to building also to trim (selectively remove) rubbing branches; (prune to give 3 metres clearance from building).

6. Birch tree (1059) (Tree Preservation Order No.T11.) Concerns of raising up from the ground, also the tree is well over the top of the building. The Local Authority Trees and Nature Conservation Officer suggested to have the top taken out to level with top of roof to reduce movement of roots. (The top could be reduced to a line just above top of roof which equates to approximately 4/5 metres off the top, roughly to the first fork where the main branches divide above roof line).

(The Local Authority Trees and Nature Conservation Officer suggested that the opinion of a qualified Arboricultural Consultant be obtained where there is a question of the safety of a tree, particularly with regard to trees 4 and 6, and any recommendations to be followed. As a result it will be likely that a further tree works application will be required.)

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 the silver birch tree to be removed should be ground out/ removed to at least 300mm below ground level 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.

Please read 'Conditions ' as 'Recommendations' with regard to those trees that are within the Conservation Area, but are not the subject of a Tree Preservation Order.

Pruning of sycamores and maples should take place in late summer or early autumn. All pruning works to sycamores and maples should be completed by mid-January to avoid problems of sap bleed.

Ideally, 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.

With regard to the silver birch to 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.

It is recommended that the tree is replaced with a further silver 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.

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.



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