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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H16-0184-26 **Date of Decision:** 11th May 2026

Applicant: Mr F Lempp
Yew Lodge
21 High Street
Spalding
PE11 1TX

Location: Yew Lodge 21 High Street Spalding

Description: Works to Spalding Tree Preservation Order No 1 1962

Detailed Description:

Application to carry out works to a poplar tree within the grounds of Yew Lodge, 21 High Street.

Please see the plan which accompanies the Application for the exact position of the tree.

The tree is likely to be just within the western boundary of Spalding Tree Preservation Order No 1 1962, and is definitely within the boundary of Spalding Conservation Area.

'The black poplar tree is the last of three trees on the property which is currently a danger to life. The base of the trunk is more than 3/4 hollow with clear signs of rot. The previous trees suffered the same rot and subsequently fell onto a neighbouring property causing serious damage. The remaining poplar tree needs to be felled/cut to a maximum height of 4ft to prevent further danger to life.'

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'.

Notes:

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

Should the four foot poplar stump die completely, 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 species of deciduous tree, which will grow to a relatively medium size, compared to a poplar which can grow so tall. The replacement tree to be 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. It will then be subject of the original Order.

Please inform the Local Planning Authority as soon as replanting has taken place and indicate the species and 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.

(Although not visible in the photographs provided, sometimes poplars in this area contain small round holes about the diameter of a pencil at the base of the trunk; these are likely to be the larvae holes of the hornet clearwing moth (*Sesia apiformis*). Please note that this is a Nationally Scarce species, rated 'B'. (Nationally Scarce B: These are species which have been recorded from 31-100 10km squares.) If they do happen to be present ideally leave the base of the tree for the larvae to complete their life cycles as this would benefit biodiversity. Often the moths use the same tree bases over a number of years, the larvae taking up to three years to mature, the adult moths emerge from pupae which are then just inside the holes.

Normally a dead stump should be ground out/removed to 300mm below ground level, to discourage the proliferation of decay fungi which could spread to healthy trees nearby.)

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
Assistant Director - Planning and Strategic Infrastructure
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