

Mr A Hemsworth
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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H16-0208-23 **Date of Decision:** 25th April 2023
Applicant: Mr A Hemsworth
1 Paddock Green
Spalding
PE11 1XN
Location: 1 Paddock Green Spalding
Description: Works to Spalding Tree Preservation Order No 9 1978

Detailed Description:

Trees in the garden of 1 Paddock Green. The horse chestnut is identified as T38 of Spalding Tree Preservation Order No. 9 1978, the other trees to be pruned are protected by virtue of the garden being within Spalding Conservation Area.

The following works were agreed on site (6th April 2023) and replace those applied for in the original Application. Please see the site plan which accompanies the Application.

- '1. Horse chestnut - Prune branches from overhanging public pathway.'
2. and 4. Sweet bays - Retain as a screen. Reduce in height and shape, to retain a leafy canopy of approximately two metres in height.
3. Sallow - Reduce height and spread to leave a canopy of approximately three metres by two metres. This to include substantially reducing the branch which grows towards the lawn, and one heading over the fence to the neighbours. Pruning will help alleviate competition with the neighbouring sweet bay trees, and reduce the likelihood of branches splitting out as the tree grows.
- 5 + 6 + 7. Lime trees. Reduce height by re-pollarding back to previous cuts or to sound wood if appropriate. Remove epicormic growth from the trunk of each tree to a height of four metres ('tangled side branches'). The remaining side branches prune back to previous cut line, which is still clearly visible.
- '8. Sycamore - Sited in neighbouring garden (No.2). Prune overhanging branches and limbs from our side of the boundary.' Prune to where cut before, roughly in line with the fence.
- All cuts to be made to existing growth points.

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:

Please read 'Conditions' as 'Recommendations' for those trees not subject of a Tree Preservation Order but within the Conservation Area.

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

In general avoid pruning horse chestnuts in the spring months directly prior to and immediately after bud opening as bleeding of sap from pruning cuts may be a problem. Ideally prune between leaf fall and February. (If actually obstructing the path will have to be cleared in any case.)

Other than the removal of dead wood lime trees should preferably be pruned in late July and August or alternatively in the autumn months. Avoid pruning from the end of January onwards, as the bleeding of sap may be a problem.

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