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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H16-0607-25 **Date of Decision:** 18th August 2025
Applicant: Mrs A Toal
Honeysuckle House
2 Monks House Court
Spalding
PE11 3YS
Location: Honeysuckle House 2 Monks House Court Spalding
Description: Works to Spalding Tree Preservation Order No 21 1985

Detailed Description:

Application to carry out works to an ash tree in the north western corner of the garden of Honeysuckle House, 2 Monks House Court, Spalding. The tree is identified as T29 of Spalding Tree Preservation Order No. 21 1985.

'Ash (T29) failed on 18.06.2025. located within domestic garden, adjacent to a foot-way, and the Highway. Request to fell to the ground due to poor condition and risk of danger. Inspection on 20.06.2025 suggested ash in such poor condition that it should be felled subject to any possible retention for habitat. This will be confirmed by arboriculturalist when on site. Replacement self-seeded oak identified adjacent.(TPO to be amended to oak).

This application is being made as a result of sudden tree failure - large branch falling. Intention if possible is to reduce tree to stump to retain habitat (for bees).'

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'.

- 3 In the event that the stump is not retained for habitat (it has a colony of bees living in it).

The resulting stump of the tree should be ground out 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.(Care must be taken not to damage the roots of the adjacent oak in the process.)

Notes:

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

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.

As in the description, it is recommended that the young oak tree growing adjacent to the ash tree is recorded as the replacement tree for the ash.

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.

Should it be intended to completely fell the tree rather than retain the stump, and a colony of honey bees be present in any of the holes when works take place; it is strongly recommended that a bee keeper is contacted so that the bees may be given alternative accommodation. (Lincolnshire Bee Keepers Association: lincsbka.org.uk, swarm collection: bbka.org.uk/swarm)



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