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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H16-0619-21 **Date of Decision:** 27th July 2021

Applicant: Mrs L Pang
29 London Road
Spalding
PE11 2TA

Location: 29 London Road Spalding

Description: Works to Spalding Tree Preservation Order No 51 1992

Detailed Description:

Proposed works to trees in the garden of 29 London Road, Spalding.

Application to carry out works to a silver birch tree identified as T1 of Spalding Tree Preservation Order No. 51 1992 in the rear garden; also Notification with regard to works to a further silver birch tree and removal of a false acacia in the front garden.

'False acacia/Robina (T1) - To fell - Decay in lower and upper trunk, tree is leaning across path, towards road.

Silver birch (T2) - Prune back to previous cut points, approx. 1-2 m. reduction, thin by 15%.

Silver birch (TPO 51 1992) Raise canopy to height of 4m. to be clear of bus stop and give some light to garden. Reshape to where previously reduced.'

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 The resulting stump of the false acacia tree 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. Great care must be taken not to damage the roots of any adjacent trees.

Notes:

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

Please read 'Conditions' as 'Representations' with regard to those trees within the Conservation Area but not the subject to a Tree Preservation Order.

It may be advisable to obtain the opinion of a qualified arboriculturist regarding the potential effect that the removal of the tree could have on nearby built structures.

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.

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 false acacia tree is replaced with a further false acacia (Robina pseudoacacia) of at least 1.5 metres in height 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.



Phil Norman
Planning 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 and return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk