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FirstPort
Georgian Court 2
Haverfield Road
Spalding
Lincs
PE11 2QT

TOWN AND COUNTRY PLANNING ACT 1990

Reference: H16-0746-19 **Date of Decision:** 27th September 2019

Applicant: FirstPort
Georgian Court 2
Haverfield Road
Spalding
Lincs
PE11 2QT

Location: Georgian Court Haverfield Road Spalding Lincs

Description: Works to Tree Preservation Order No. 18, 1984

Detailed Description:

Application to remove two dead trees on the south side of the entrance to the car park at Georgian Court, Haverfield Road. The trees are in the positions of trees T9 and T10 of Spalding Tree Preservation Order No.18 1984, and were likely to have been replacements of the trees originally there when the Order was served,

'T9 Silver birch in car park area, no leaf has appeared this year, tree has died.'

'T10 Acer in car park area', no leaf has appeared this year, tree has died.

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 stumps of the trees should be ground out/ removed to at least 300mm

below ground level, unless otherwise agreed with the District Council, to help reduce the risk of the stumps harbouring decay fungi which could infect nearby trees.

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.

It is recommended that the tree(s) are replaced with a further silver birch and a species of ornamental Acer of at least 1.5metres high on planting as near as reasonably practicable to the position of the original trees within a period of three years.
(The three years planting time instead of the normal twelve months to allow time to investigate / monitor ground conditions at the position of the originals; and take remedial action as required. If a satisfactory conclusion is not reached with regard to the reason of trees dying, such as presence of honey fungus or possibly ground contaminants when their roots reach a certain depth in the soil, it may be prudent to plant the replacement trees in a different location close by).

Modifications to details may be agreed with the Local Planning Authority with regard to the above. Such as selection of species with a degree of resistance to honey fungus.

Please inform the Local Planning Authority as soon as replanting has taken place and indicate the position of the replacement trees. 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 and Building Control 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