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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H16-0801-22 **Date of Decision:** 5th October 2022

Applicant: Anglian Water
C/O Ground Control Ltd.
Kingfisher House
Radford Way
Billericay
CM12 0EQ

Location: Sewage Pumping Station Avebury Gardens Spalding

Description: Works to Spalding Tree Preservation Order No 65 2005.

Detailed Description:

Application to carry out works to trees encroaching on the Sewage Pumping Station at Avebury Gardens.

'Hazel Tree's/shrubs are overhanging onto the access path within the compound, this could be a potential H&S issue for AW staff while working on site, overhanging tree's/shrubs will be cut back from ground level using a long arm hedge trimmer and pole saw, 2 metres away from the building.'

A dawn redwood identified as T1 of Spalding Tree Preservation Order No 65 2005, grows in the rear garden of 10 Avebury Gardens in close proximity to the northern boundary of the Sewage Pumping Station.

The proposed works are unlikely to affect the preserved tree in any way.

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.

With regard to the dawn redwood subject of a Tree Preservation Order growing in the rear garden of 10 Avebury Gardens adjacent to the northern boundary of the Sewage Pumping Station: Should it be found any branches require pruning, the minimum necessary to fulfil the access requirements may be carried out, as Conditioned above.

'Conditions' to be read as 'Recommendations' with regard to the pruning back of the hazel.

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:

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