

Garys Gardens Tree Care
20 St. Gilberts Road
Bourne
Lincs
PE10 9XB

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H16-0802-24 **Date of Decision:** 19th November 2024

Applicant: Mrs M Calkin
Little Acre
66b Hawthorn Bank
Spalding
PE11 1JQ

Location: Little Acre 66b Hawthorn Bank Spalding

Description: Works to Spalding Tree Preservation Order No 28 1988

Detailed Description:

Application to remove an ash tree which has been severely reduced in the past due to its structure. It is located within the grounds of Little Acre, 66b Hawthorn Bank, adjacent to the northern boundary. The tree is identified as T6 of Spalding Tree Preservation Order No. 28 1988.

The Applicant has identified the tree as T1 throughout. Please see the aerial photographs which show the location of the tree.

'T1 ash tree. Remove to ground level.

Previously had poor tree work carried out and the tree had been topped at approx 25ft. This has caused 50% of the trunks to die off. From the photos you can see it has *Daldinia concentrica* growing which only grows on dead wood. It has a high target due to these stems leaning towards a care home and outdoor shelter.'

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 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.

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. The tree to be of low or moderate water demand.

It is recommended that the replacement is a tree which has the potential to grow to a small/ medium size when mature, suitable for a garden; such a variety of Magnolia or rowan. The replacement to be at least 1.5 metres in height on planting, to be planted as near as reasonably practicable, to the position of the original tree, within a period of twelve months.

May I take this opportunity to remind you of your replanting obligations with regard to the adjacent sycamore T7 of the same Order which was recently felled under H16-0909-22.

'It is recommended that the tree is replaced with a further moderate water demand deciduous tree of at least 1.5 metres high on planting, which has the potential to grow to at least 12 metres high when mature; to be planted as near as reasonably practicable, to the position of the original tree, within a period of twelve months. Could consider paperbark maple (*Acer griseum*), whitebeam (*Sorbus aria*), golden alder (*Alnus incana* 'Aurea').'

Both trees will then be subject of the original Order.

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
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