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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H16-0850-17 **Date of Decision:** 2nd November 2017
Applicant: George Tear
6 Haverfield Road
Spalding
Lincs
PE11 2XP

Location: 6 Haverfield Road Spalding Lincs
Description: Works to Spalding TPO No. 40, 1990

Detailed Description:

Works to trees in the grounds of 6 Haverfield Road, Spalding. The grounds are within Spalding Conservation Area and there are also two Tree Preservation Orders which protect the trees.

SPALDING TREE PRESERVATION ORDER NO. 40 1990. (Reference numbers as in Tree Preservation Order.)

T3. 1 deodar cedar with wind damaged branches to remove and reduce sides by approximately 2.5 metres over drive and garden to balance.

T4. By house 1 cedar with the whole top broken out to remove and replace in centre of driveway or retain and selectively balance with a 2 to 3 Metres maximum reduction of longest limb growing to house, also includes pruning branches from encroaching into T3.

T5. By house 1 cedar to reduce sides all round by approximately 2.5 metres .

T6. 1 poor condition Atlas cedar half dead to remove and replace; or retain and prune back branch over drive to balance.

T7. Deodar, Reduce low branches from overhanging lawn and driveway by no more than 2 metres.

T8. 1 Atlas cedar with broken branch in top to remove and reduce sides by approximately 2.5 metres.

SPALDING TREE PRESERVATION ORDER NO. 76 2009. (Reference number as in Tree Preservation Order.)

T1 Ginkgo biloba . Remove western half. (As branch has rubbed and made leader weak.)

CONSERVATION AREA TREES NOT THE SUBJECT TREE PRESERVATION ORDERS.

Line of cypress trees on eastern side of front lawn near southern end of driveway.
One leaning on fence remove. Remainder reduce canopy by 50%.

Line of 3 cypress, on western side of front lawn, reduce canopies by 50%.

Cypress on western side of front lawn near house frontage, adjacent to cherry plum . Reduce height by one third.

Cherry plum on western side of front lawn near house frontage, Reduce canopy by 50%.

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 Should any trees be removed, the resulting stumps 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:

Please read 'Conditions' as 'Recommendations' with regard to trees which are in the Conservation Area but are not the subject to a Tree Preservation Order.

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

If it is decided to remove T4 or to a lesser degree T6 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, also advice on positioning replanting.

Cedars may be pruned between November and February but pruning in frosty weather **MUST BE AVOIDED**. They may also be pruned in summer, but beware of birds nest.

Ideally, conifers such as Leyland cypress should only be heavily pruned (or topped) in July. The optimum time for annual trimming works is between July and August. Often it is not feasible to prune at the ideal time due to the presence of nesting birds. Works in the late autumn, winter and early spring months should be avoided.

Should either T4 or T6 be removed 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.

Should either T4 or T6 be removed it is recommended that the tree(s) are replaced with either deodar or Atlas cedars of at least 1.5 metres high on planting as near as reasonably practicable to the position of the original trees 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(s). 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 at their Lincoln office on 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 at their Lincoln office on 03000 603900 before works proceed.



Paul Jackson
Place 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