South Holland District Council
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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H16-0876-15 **Date of Decision:** 2nd November 2015

Applicant: South Holland District Council
Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

Location: The Chestnut Avenue Church Gate Spalding Lincolnshire

Description: Works to Spalding Tree Preservation Order No. 48 1991

Detailed Description:

SPALDING TREE PRESERVATION ORDER NO.48 1991.

Horse chestnuts within Group One of the above order on the access road known as The Chestnut Avenue, adjacent to the north side of Ayscoughfee Hall.
All trees crown raise to give minimum required clearance by Highways Authority, to road and footpath and remove any dead wood.

A.Red horse chestnut on south side of entrance off Church Gate.
Crown raise to clear wall, post and light, in height to the level of the top of the light and in width in line with the drain hole cover on Church gate, which is approximately to the middle of the southern footpath along The Chestnut Avenue.
Concerning the branch that grows parallel to the southern footpath and enclosing small wooden fence; remove split branch, retain adjoining fork to split branch and reduce back by up to 50%.

B.White horse chestnut on north side of entrance off Church Gate.
Prune to balance approximately in line with the adjacent wall skirting the northern footpath.

C.Eastern most red horse chestnut tree on south side of The Chestnut Avenue adjacent to Ayscoughfee Hall itself.
Selectively reduce back from building to give up to 2 metres clearance (by eye as viewed from the west a line roughly in line with the small wooden fence enclosing the footpath).
The limb overhanging the car park, reduce by no more than 50% to lighten weight over car park.

D. Eastern most red horse chestnut tree on north side of The Chestnut Avenue.
The limb overhanging the car park, reduce by no more than 50% to lighten weight over car park.
Check cracked branch on north side of tree and reduce/remove as require

E. Red horse chestnut on the south side of The Chestnut Avenue, immediately to the east of the

horse chestnut identified in this description as 'A'.
A large part of the top of this tree has blown out. Check for nesting birds/roosting bats in woodpecker hole, if none present, fell tree, grid out stump and plant a replacement tree of the horse chestnut (Aesculus) Family.
If protected species present, obtain advice regarding reduction to make tree safer with minimum disturbance to wildlife.

F. Red horse chestnut on the south side of The Chestnut Avenue, located between the trees identified in this description as 'E' and 'C'. This tree is dead. Fell tree, grid out stump and plant a replacement tree of the horse chestnut (Aesculus) Family.

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 to at least 300mm below ground level, unless otherwise agreed with the Planning Department, 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.

Horse chestnuts should ideally be pruned after leaf fall but before February, avoid pruning horse chestnuts in the spring months directly prior to and immediately after bud opening as bleeding of sap from pruning cuts may be a problem.

In this case the duty of the landowner is to plant another tree to replace each removed, 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 further trees of the Aesculus (Horse chestnut) family, to be at least 1.5 metres high on planting, to be planted 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 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 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 adn return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk