

Mr L Calkin
Little Acre
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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H16-0909-22 **Date of Decision:** 7th November 2022

Applicant: Mr L Calkin
Little Acre
66b Hawthorn Bank
Spalding
Lincolnshire
PE11 1JQ

Location: Little Acre 66b Hawthorn Bank Spalding

Description: Works to Spalding Tree Preservation Order No. 28 1988.

Detailed Description:

Trees within the grounds of Little Acre, 66b Hawthorn Bank. Please see the sketch plan accompanying the Application.

The sycamore is identified as T7 of Spalding Tree Preservation Order No. 28 1988.

'Tree 1 - Sycamore inside the North boundary between our property and St John's Care Home - TPO/016/28/1988.

This is an urgent tree health and safety issue as advised by Arbcore Tree Care Ltd (advice attached).' See below.

' Large multi stem sycamore.

This tree is a result of new growth of an old tree that had been previously taken down.

The sycamore is large and had multiple stems which is next to 'the Applicant's' house and a care home.

1 stem is leaning at 40 degrees approximately toward the care home to the northeast 'side' of the boundary.

This tree had a rot pocket at the bottom of the tree in between the stems at ground level.

We would suggest to remove the whole tree before it causes a problem.

Minor failures in the past.

The sycamore is at high risk to wind damage.'

'Tree 1 - Sycamore - Request permission to fell in view of Arbcore Tree Care Ltd's advice attached to this application. There is limited space for a tree in this position so replacement can really only be decided upon when we can properly see the space that is opened up by the felling of the Sycamore.'

The golden ash is identified as T3 of Spalding Tree Preservation Order No. 28 1988.

'Tree 2 - Golden Ash inside the 'East' boundary between our property and Hawthorn Bank which replaced a dead Elm in 1994 - TPO/016/28/1988.

This is a Crown reduction request to cut back growth over the footpath and roadway and keep crown clear of a cedar beside it.'

'Tree 2 - Golden Ash - Crown reduction to the same cut points as in the last reduction.'

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.

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.

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 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').)

Modifications to the details may be agreed with the Local Planning Authority.

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
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