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## **TOWN AND COUNTRY PLANNING ACT 1990**

### **WORKS TO A PRESERVED TREE**

**Reference:** H16-0947-16 **Date of Decision:** 3rd November 2016  
**Applicant:** The Diocese of Lincoln  
Edward King House  
Minster Yard  
Lincoln  
LN1 1PU

**Location:** St Johns Vicarage 66a Hawthorn Bank Spalding  
**Description:** Works to Spalding TPO No. 26 1988

#### **Detailed Description:**

Application to remove a sycamore tree identified as T4 of Spalding Tree Preservation Order No. 28 1988 (Probably also identified as T1 of Spalding Tree Preservation Order No.26 1988), growing in the lawn of the rear garden of Saint Johns Vicarage, 66A Hawthorn Bank, Spalding.

Sycamore - Severe decay in trunk 1m+ into main cavity, photograph attached (on file). Major fork approx. 3m from ground level having self set elder growing out. Crown has been reduced in the past. Concerns of weight and splitting. For long term management remove to ground level and replant.

**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 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.

It is recommended that the tree is replaced with a further sycamore of at least 1.5 metres high on planting as near as reasonably practicable to the position of the original tree within a period of twelve months. Alternative species of a similar potential stature may be acceptable, modifications may be agreed in writing with the District Council.

Please inform the District Council 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 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](http://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](mailto:environment.appeals@pins.gsi.gov.uk)