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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H16-0976-23 **Date of Decision:** 19th December 2023
Applicant: Mr B Cooley
5 Cley Hall Gardens
Spalding
Lincolnshire
PE11 2EA
Location: 1 The Beeches Spalding
Description: Works to Spalding Tree Preservation Order No 01 1962

Detailed Description:

Application to carry out works to four sycamore trees. Three are in the grounds of 1 the Beeches, the fourth is located in the western most corner of the rear garden of 5 Cley Hall Gardens. Please see the sketch plan accompanying the Application.

The trees are all within Area One of Spalding Tree Preservation Order No.1 1962.

The Applicant originally stated: 'Trim four sycamore trees to be reduced to the height of adjacent sycamores in accordance to BS3998.'

The Trees and Nature Conservation Officer had discussions with both the Owner of 1 the Beeches, and that of 5 Cley Hall Gardens who was also the Applicant.

The following works were agreed to take place:

That the trees could have their overhanging growth cut back by 2-3 metres which over hung the garden of 5 Cley Hall Gardens, particularly, but not exclusively the lower branches. One branch over a garden building on the western side of the garden could be reduced back by more than this, because it was longer, at least one other presented a similar situation. ALL CUTS TO BE TAKEN BACK TO EXISTING GROWTH POINTS, TO LEAVE SOME BUDS/GROWTH ON THE END OF THE REMAINDER. This to help reduce multiple sprouting where cut, the theory being the

tree will concentrate its energy/growth into the remaining shoots rather than compensating by producing the former. This should leave a canopy roughly in line with the small concrete post set in the flower bed on the eastern side of the garden, very approximately 5 metres from the rear fence line.

Remove all dead wood.

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'.

Notes:

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

Please note that the removal of dead wood can be carried out without the need to submit a formal written application for works. All works to British Standard 3998 2010 and due regard taken of any Protected Species under the Wildlife and Countryside Act 1981 (as amended) which may be present. The removal of dead wood is included in the description for completeness.

Pruning of sycamores should take place in late summer or early autumn. All pruning works to sycamores should be completed by mid-January to avoid problems of sap bleed.

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

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