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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H16-1000-23 **Date of Decision:** 21st December 2023

Applicant: Mr G Tear
6 Haverfield Road
Spalding
Lincolnshire
PE11 2XP

Location: 6 Haverfield Road Spalding

Description: Works to Spalding Tree Preservation Order No 40 1990

Detailed Description:

Application to carry out works to trees in the grounds of 6 Haverfield Road.

The trees are the subject of Spalding Tree Preservation Order No 40 1990.

'T1, 2, 3, 4, 5, 6, 7, 8, 9. Cedar, deodar and Atlas.'

'Remove dead wood and reduce branches overhanging neighbours property by up to 2m. This has been done in the past so just reducing new growth.'

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.

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.

When similar works were carried out in 2013, the following applied 'Care must be taken to prune the trees to give a 'feathered ' canopy edge and not just a stark branch line which corresponds with the fence. Where possible achieve this by selectively removing small branches, to thin out, reduce back and lighten the weight of the main branches: but leave some growth present, rather than by the cutting back of large branches just to clear the fence.' This is likely to be equally relevant when reducing the new growth back in this instance.

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:

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