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TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H17-0250-20 **Date of Decision:** 7th May 2020

Applicant: Mrs B Manning
98 Seas End Road
Surfleet
Spalding
Lincs
PE11 4DQ

Location: 98 Seas End Road Surfleet Spalding

Description: Works to Surfleet Tree Preservation Order No 17A-01-1990

Detailed Description:

Application with regard to the future of a mature horse chestnut tree located in the front garden of 98 Seas end Road, Surfleet. The tree is identified as T1 of Surfleet Seas End Tree Preservation Order No.1 1990. Please see the aerial photograph accompanying the Application, to show the position of the tree; also photographs to illustrate its condition.
Description of the works proposed in the words of the Applicant:
'Horse chestnut, fell due to excessive damage in centre of tree - also wood worm, giving concern for safety of surrounding area due to wind concerns.

Would like to replace with an ornamental tree with a minimum height of 5 feet.'

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:

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. (For example ground movement; such as subsidence due to rotting roots or ground heave due to the increase of water available in the soil).

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

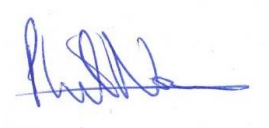
In this case the duty of the landowner is to plant another tree, of an appropriate size and species, at the same place and as soon as reasonably possible. The new tree will then be protected by the original Order.

It is recommended that the tree is replaced with either a further tree of the horse chestnut family (Aesculus sp.), a whitebeam (Sorbus aria), or a hornbeam (Carpinus betulus), (of at least 1.5 metres in height on planting) as near as reasonably practicable to the position of the original tree 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 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
Planning and Building Control 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 and return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk