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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H17-0498-20 **Date of Decision:** 18th August 2020

Applicant: Mr S Ashwell
26 Station Road
Surfleet
Spalding
PE11 4DA

Location: 26 Station Road Surfleet Spalding

Description: Works to Surfleet Tree Preservation Order No 2 1988

Detailed Description:

Application to carry out works on an oak tree in the front garden of 26 Station Road, Surfleet. The tree is identified as T1 of Surfleet Tree Preservation Order No. 2 1988. Please see diagrams enclosed with the application for the extent of the works proposed.

'Oak tree' -

'The tree is over hanging the driveways of both number 24 and 26, debris, sap and bird droppings are constant issue causing damage to vehicles parked on both drives. We would like to trim the tree so branches do not over hang either driveway.

We would also like to trim the tree so no branches are closer than four (ideally five) meters to the houses at number 26 or 24. Looking at the tree, it looks like it has previously been trimmed to the four metre point.

The tree also overhangs the road. The higher branches although they hang over most of the road are ok. Some lower branches that hang into the road are beginning to pose a danger to larger traffic, i.e. some trucks but more of an issue with double decker school buses. If the buses meet a car, they are rubbing past the branches as they pass. With this in mind, I would like to trim the lower branches back to the boundary line with number 26 and the foot path. Note, if it is deemed that trimming the higher branches overhanging the road maintains the tree shape, we can look to trim these with your guidance.'

In relation to the last comment:

Should there be noted whilst works are taking place; any faults in the upper branches overhanging the road which would weaken their structure; depending on the nature of these, the branches may be reduced proportionally to resolve any potential safety issues, and those adjacent balanced to retain a pleasing shape. Any queries please contact Trees and Nature Conservation Officer on 01775 764483.

Additional detailed notes with regard to the proposed works received by e-mail 9th July 2020:

'Oak tree' -

'Basically what I am looking to achieve, is trim all sides of the tree so branches do not hang out any further than 17 feet (Approx 5.25 metres) from the edge of the trunk of the tree in all directions.

Currently, the tree is over hanging the driveways of both number 24 and 26, falling debris, sap and bird droppings are a constant issue causing damage to vehicles parked on both drives. We would like to trim the tree so branches do not over hang either driveway.

We would also like to trim the tree so no branches are closer than four meters to the houses at number 26 or 24. Looking at the tree, it looks like it has previously been trimmed to the four metre point.

The tree also overhangs the road. Lower and some higher branches that hang into the road are beginning to pose a danger to larger traffic, i.e. some trucks but more of an issue with double decker school buses. If the buses meet a car, they are rubbing past the branches as they pass. There is also a street light in front of number 26 which is slowly being consumed by the tree. This trimming would take the branches back to the mid way of the foot path so removing danger to the traffic. I am also concerned that if the overhang into the road increases further, there could be a potential of destabilising the tree as most growth will then be on one side.

Finally we would also like to trim low hanging branches so the lowest are 10 feet from the ground.'

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'.

Notes:

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

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