

Mr Darren Smith
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TOWN AND COUNTRY PLANNING ACT 1990 WORKS TO A PRESERVED TREE

Reference: H18-0277-22 **Date of Decision:** 9th May 2022
Applicant: Mr Darren Smith
The Mill House
Mill Lane
Sutton Bridge
Spalding
PE12 9UE
Location: The Mill House Mill Lane Sutton Bridge Spalding
Description: Works to Sutton Bridge Tree Preservation Order No. 4 1985

Detailed Description:

Application to remove all preserved trees at The Mill House, Mill Lane, subject to Sutton Bridge Tree Preservation Order No. 4 1985. This to include three mature beech and two cherry on the eastern boundary.

Please see the sketch plan and report which accompanies the Application.

'Please see full listing supplied by ArbCore attached with sketch diagram.

ArbCore report T1 (TPO T5): Old pollard damage at 2m with signs of decay and long cracks to base. Very high risk of failure in windy conditions.

ArbCore report T2 (TPO T4): Old pollard damage at 2m with signs of decay and Bracket Fungi. Some Cavities. Too poor to save. Very high risk of failure.

ArbCore report T3 (TPO T3): Old pollard damage at 2.5m. Deep decaying cavity. Too poor to save. Very high risk from wind failure.

All 3 trees above require urgent attention due to the poor condition.

ArbCore report T4 and T5 (TPO T1 and T2): Both trees half dead and shedding large branches. High risk of dead wood falling. Remove and replant.'

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'.
- 3 The resulting stumps of the trees 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 stumps harbouring decay fungi which could infect nearby trees.

Notes:

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

It may be advisable to obtain the opinion of a qualified arboriculturalist regarding the potential effect that the removal of the trees could have on nearby built structures. (In some soils with a high clay content the removal of mature trees can cause soil heave, similarly there can be earth movement as roots decay.).

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 to replace each removed.

It is recommended that the tree(s) are replaced with '2 ornamental cherry trees, 2 field maples and 1 whitebeam' (suggest the native whitebeam (*Sorbus aria*)), of at least 1.5 metres in height on planting as near as reasonably practicable to the position of the original trees within a period of twelve months. These trees will be protected by the original Tree Preservation Order.

Modifications to the details may be agreed with the Local Planning Authority.

Please inform the Local Planning Authority as soon as replanting has taken place and indicate the position of the replacement trees. 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.

A handwritten signature in blue ink, appearing to read 'Phil Norman', with a horizontal line extending to the right.

Phil Norman
Planning 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