Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

Mr A Sisson
The Trees
2 Sutton Gate
Sutton St James
Spalding
PE12 0EW

TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H20-0719-22 **Date of Decision:** 12th September 2022

Applicant: Mr A Sisson
The Trees
2 Sutton Gate
Sutton St James
Spalding
PE12 0EW

Location: The Trees 2 Sutton Gate Sutton St James Spalding

Description: Works to Sutton St James Tree Preservation Order No 03 1990

Detailed Description:

Application to carry out works to a mature ash tree, located at the property known as The Trees, 2 Sutton Gate. The tree is identified as T3 of Sutton St James Tree Preservation Order No 03 1990.

Please see the plan accompanying the application for the position of the tree.

In the words of the Applicant:

'The tree in question is situated approx. 4 feet from the Highway on the corner of Sutton Gate and Draw Dyke. It leans towards the road and hangs over the Highway. A print off from South Holland's public map is attached with a blue arrow indicating the tree. The species of tree is ash.

This year as the tree came into leaf, it became obvious that a considerable amount of it had died. A large bloom of fungus also grew from the base. Branches have started falling. I have sought advice from a local tree surgeon who advised immediate removal of the dead wood but also expressed concerns over the health of the tree. He advised a request of a site visit from the Council to determine a cause of action. My concerns are firstly the safety of pedestrians, as the route below the tree is popular with dog walkers etc.

Following a visit from the Trees and Nature Conservation Officer:

DC_FINAL_DECISION - ODB:14

'We therefore wish to formerly notify the Council that we intend to remove all the dead wood from throughout the tree, and to further more ask for permission to remove any branches which have been cut by previous owners, (to a poor standard and which now appear to be rotting), and which have in your opinion the possibility to become dangerous due to excess weight from branches which have sprouted from above the cuts.

Permission is also requested, due to the general uneven shape and generally poor condition of the tree to the north west of the site, (along side the main highway), to remove approximately 25 to 30% of the entire tree around all sides and the top. The object of this final part of the exercise we hope will give balance back to the tree, whilst encouraging new growth.

Whilst not all signs of ash die back where evident, several were and we will hence notify you again should any of the remaining two indicators be found, namely bracket type fungi and rusting in colour of branches.'

(Please note that large bracket type fungal fruiting bodies can be an indication of internal decay not the 'ash die back' disease. The fungal fruiting bodies of ash die-back disease are apparently extremely small and visible on decaying detritus from the tree.)

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.

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:

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