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Mr M Campling
The Yews
2 Jarvis Gate
Sutton St James
Spalding
PE12 0EP

TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H20-1047-22 **Date of Decision:** 19th December 2022

Applicant: Mr M Campling
The Yews
2 Jarvis Gate
Sutton St James
Spalding
PE12 0EP

Location: The Yews 2 Jarvis Gate Sutton St James Spalding

Description: Works to Sutton St James Tree Preservation Order No 2 1988

Detailed Description:

Application to carry out works to three mature trees located on the western boundary of the paddock, adjacent to Jarvis Gate which lies immediately to the north of the house known as 'The Yews', 2 Jarvis Gate.

The trees are within Group Two of Sutton St James Tree Preservation Order No 2 1988.

A risk assessment was carried out by a local tree surgeon. The description is extracted from this item, and altered to accommodate consolidation of details provided by a conversation between the Applicant and Trees and Nature Conservation Officer on 13th December 2022.

'T1 Ash by site entrance, multiple failures in crown. Previous pollard damage at 4.5 metres. Decay in centre of pollard point. Fell to ground level and grind stump.'

'T2 Sycamore, previously pollarded at 1.0 metre. Multi stems severe decay at 1.0 metre. 1 stem dead. Fell and grind stump.'

'T3 Ash tree by field gate. Previous pollard at 3.0 metres. Multi stem at 3.0 metres. Recommend reduction 35%.' 'Remove dead branches and dieback branches.'

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.

In this case the duty of the landowner is to plant another tree to replace each removed, of an appropriate size and species, at the same place and as soon as reasonably possible.

It is recommended that the trees are replaced with an ash and a sycamore of at least 1.5 metres in height on planting, (or alternative trees of a broad-leaved species of low or moderate water demand, which will grow to a medium/large size, equivalent to that of the originals) as near as reasonably practicable, to the position of the original trees, within a period of twelve months.

Ideally the replacement trees should be staked and be protected by suitable tree guards to prevent damage by rabbits and voles whilst becoming established. Tree ties will need monitoring and adjusting to allow for growth. If stock are present the young trees will need fencing. Ideally at least for the first year, regular watering will enable them to take advantage of the long daylight hours of spring and summer to establish its roots and thrive, rather than fight to survive in the hot sun.

Please inform the Local Planning Authority as soon as replanting has taken place and indicate the species and 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.

Should it be found when works take place that there are additional faults in the ash tree to remain than originally discovered. The reduction works may be adjusted to accommodate this. In any case the reduction works is quoted as a percentage to allow some flexibility in approach; the aim being to make the tree to an acceptable level of safety for its location whist retaining a tree of some visual amenity.
Where possible all cuts to be taken back to existing growth points. Please endeavour to keep the Trees and Nature Conservation Officer informed of any proposed major deviation (Tel: 01775 764483). Photographic evidence is always useful.



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