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Proctor Bros
3 Tydd Low Road
Long Sutton
Spalding
Lincs
PE12 9AR

# TOWN AND COUNTRY PLANNING ACT 1990
# WORKS TO A PRESERVED TREE

**Reference:** H21-0051-18 **Date of Decision:** 22nd February 2018

**Applicant:** Proctor Bros
3 Tydd Low Road
Long Sutton
Spalding
Lincs
PE12 9AR

**Location:** Tydd Barn A1101 Opposite Roman Hurst Tydd St Mary

**Description:** Works to Tydd St Mary TPO No. 1, 1957

**Detailed Description:**

Application to fell three ash trees the subject of Tydd Saint Mary Tree Preservation Order No. 1 1957, located at Tydd Barn opposite the property known as Romanhurst. The trees are located immediately adjacent to the A1101.

To fell ash Nos. T120-T124 of the Order (T123 having recently blown down), for safety.

Application to fell a lime in the field boundary immediately to the north of the property known as Romanhurst, to enable the creation of a new access to the field on to the A1101.

To fell lime No. T169 of the Order, for new access and safety.

## 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 stumps of the trees should be ground out/ removed 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.

4 That the lime identified as T169 is only removed under this consent should permission for the construction of a new field access onto the A1101 be obtained.

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 of those removed due to them being dead,dying or dangerous), of an appropriate size and species, at the same place and as soon as reasonably possible.

It is recommended that the three ash tree(s) are replaced with small-leaved limes (Tilia cordata) of at least 1.5 metres high on planting, as near as reasonably practicable to the position of the original trees within a period of twelve months. The trees to be staked, protected with rabbit/vole guards and appropriately maintained until established.

(It would be appreciated if as agreed with the applicant on site that a further lime tree is planted to replace T123 which has recently blown down, one to be planted to replace a young Acer sp. (which did not establish) planted a few years ago as a replacement for another preserved tree removed due to safety on the frontage of Tydd Barn and one to replace T169 to be removed to form a new access, the replacements to be on the frontage of Tydd Barn).

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 at their Lincoln office on 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 at their Lincoln office on 03000 603900 before works proceed.



Paul Jackson
Place 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 adn return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk