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TOWN AND COUNTRY PLANNING ACT 1990 TREE WORKS IN A CONSERVATION AREA

Reference: H21-0856-22 **Date of Decision:** 5th October 2022
Applicant: Mr B Beech
Trafford House
Common Way
Tydd St Mary
Wisbech
PE13 5QH
Location: Trafford House Common Way Tydd St Mary
Description: Works to Trees in Tydd St Mary Conservation Area.

Detailed Description:

Notification to remove a silver birch tree in the grounds of Trafford House.

'Extremely large silver birch located close to our house at the rear of the property, approximately 5 metres away. The tree in question is completely covered in ivy and has been in a poor state since we moved into the property in May 2021. Since we moved in the tree has dropped a large amount of dead wood onto an area close to the property where our cars are parked. Due to the close proximity to the house, the size and condition of the tree we are extremely concerned that the tree poses a danger to life if it were to collapse, not just to ourselves and our new born child but also to our neighbours who have signalled a desire for the tree to be removed due to safety concerns. In addition due to the close proximity we are concerned that the roots may cause damage to any drains and our oil feed line which would result in considerable costs to repair. We would therefore request to have the tree completely removed in light of the reasons above. We have consulted with the above named agent and they concur with our assessment, we would therefore respectfully request you consider our proposal in light of the above, we welcome any visit to assist in your assessment.'

The Agent in relation to this Notification for works states:

'If this works was approved, we are able to remove the stump and re plant a new tree in its place, or

somewhere more suitable in the garden for its long term growth.'

South Holland District Council has considered the proposal and has no objections, subject to any recommendation set out below;

- 1 That the proposed work is carried out within two years of the date of this letter of 'No Objection'.
- 2 Work is to be carried out in accordance with BSI 3998 : 2010, 'Recommendations for Tree Work'.
- 3 The resulting stump of the tree should be ground out/removed to at least 300mm below ground level, to help reduce the risk of the stump harbouring decay fungi which could infect nearby trees.

Notes:

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

Two faults stressed in the silver birch which you wish to remove are normally dealt with through routine maintenance rather than removal.

a. The regular severing of ivy causing it to die back and release its grip, so it can be removed if desired. Which reduces the weight of material which the branch structure has to carry, the wind sail effect and competition with the tree's growth. An ivy free trunk and branch network, allows for a full assessment of the condition of the tree.

b. The regular removal of dead wood. Often caused by over shadowing of foliage by higher branches due to vigorous growth, or competition with ivy, or the lack of moisture reaching the extremities of the branch structure; due to in-sufficient rain or sometimes disease in the roots.

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.

It is recommended that the tree is replaced with a small /medium ornamental species of tree suitable for a garden of at least 1.5 metres in height on planting; as near as reasonably practicable, to the position of the original tree, within a period of twelve months. Please note that silver birch trees are low water demand trees so have less impact than most on nearby built structures through water intake and are one of the smallest growing native tree species. The water demand of the replacement species will require some consideration.

Please note if the adjacent drain to the boundary of the garden is an Internal Drainage Board drain, there may be restrictions with regard to the distance that new trees may be planted from it. (North level I.D.B. had no comments to make with regard to this Notification.)

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 species and position of the replacement tree. 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.



Phil Norman
Head of Planning
South Holland District Council