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Ground Control Ltd.
The Granary
Gilmorton
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LE17 5NY

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

**Reference:** H23-0169-21 **Date of Decision:** 12th April 2021

**Applicant:** Western Power Distributors
Isaac Newton Way
Grantham
Lincs
NG31 9RT

**Location:** Millgate Whaplode Spalding

**Description:** Works to Whaplode Tree Preservation Order No 8 2017

**Detailed Description:**

Application to fell fourteen silver birch trees which grow adjacent to Millgate, Whaplode. The trees are within Area One of Whaplode Tree Preservation Order No 8 2017.

Please see plan which accompanies the application for the location of the trees.

'To fell 14 silver birch trees within a TPO area. Marked using black dots in TPO southern area.
This will make way for WPD re-building 33KV H.O.L.
Trees will be replaced with broad-leaf saplings within Whaplode Parish in the next 5 years.'

## 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 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 The fourteen trees to be felled shall be replaced by fourteen broad-leaf saplings of at least 1.5 metres in height on planting, within a period of five years from the date of felling, within the Parish of Whaplode.

5 The proposed species of broad-leaf saplings to be planted as replacement trees to be agreed and approved in writing by the District Council, prior to them being planted.

6 The positions of the proposed broad-leaf saplings to be planted as replacement trees to be agreed and approved in writing by the District Council, prior to them being planted.

7 If any of the trees (or any other trees planted in replacement for them) are removed, uprooted or destroyed or die, within a period of five years from the date of planting; another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the District Council give their written consent.

Notes:

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

The replacement trees to be adequately staked and protected with tree guards until established.

Please inform the Local Planning Authority (District Council) as soon as replanting has taken place and indicate the position of the replacement trees on a plan. 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**
**Planning and Building Control 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