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Ms P French
Tweenus
17 Cobgate
Whapldoe
Spalding
PE12 6TD

TOWN AND COUNTRY PLANNING ACT 1990
WORKS TO A PRESERVED TREE

Reference: H23-0467-21 **Date of Decision:** 9th June 2021

Applicant: Ms P French
Tweenus
17 Cobgate
Whapldoe
Spalding
PE12 6TD

Location: Tweenus 17 Cobgate Whaplode Spalding

Description: Works to Whaplode Tree Preservation Order No 4 2005

Detailed Description:

Application to remove a young and healthy looking tree of heaven located in the south eastern corner of the rear garden of the property known as Tweenus,17 Cobgate.

The tree is identified as T1 of Whaplode Tree Preservation Order No. 4 2005.

'T.P.O. " Tree of Heaven"/4 2005 T1. Wish to remove tree and replace with rowan Sorbus aucuparia. Tree smells strong and unpleasant in summer, causing nausea and headaches. Can trigger migraines and vomiting. When clearing up leaves and spindles, can cause rash on arms where gloves cannot cover. Overhangs neighbours and may cause damage.

The tree is growing fast since we moved here 2017. Branches can become brittle and fall in high winds.'

Please see Application Form for further details on problems apparently caused by 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 The resulting stump of the tree 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 stump harbouring decay fungi which could infect nearby trees.

3 Work is to be carried out in accordance with BSI 3998 : 2010, 'Recommendations for Tree Work'.

Notes:

Ailanthus altissima was added on the European Union invasive plant species list in August 2019. This was borne in mind when granting consent for removal. (Although this particular tree is likely to be a lone male tree, so unlikely to reproduce and so cause problems in this respect). Root suckers may be produced when the tree is cut down.

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

It may be advisable to obtain the opinion of a qualified arboriculturist regarding the potential effect that the removal of the tree could have on nearby built structures.

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 native rowan, sorbus aucuparia as near as reasonably practicable to the position of the original tree within a period of three years. The extended time period is to allow any growth inhibitors possibly secreted from the roots of the tree of heaven, to have a chance to dissipate.

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