

**NORTH KESTIVEN DISTRICT COUNCIL**  
**TOWN AND COUNTRY PLANNING ACT 1990**  
**TOWN AND COUNTRY PLANNING (TREES)( ENGLAND) REGULATIONS 2012**

**Tree Preservation Order**

Mr P French  
Foxhall barn  
Asgarby  
Lincoln  
NG34 9QE

27 August 2014

**Application to do Works to Trees covered by a Tree Preservation order**

**Location: 55a Main Street, Wilsford, Sleaford.**

**Protected by the Tree Preservation Order : N219**

**Application No. 350749/N219-1**

I refer to the above application, which was received by the District Council on 10/07/2014 and gives notice that you wish to undertake the following work as described on your application.

**WORKS REQUESTED**

Description of works: **Crown lift and crown clean lime x1**

In pursuance of their powers under the above mentioned Act and Regulations, North Kesteven District Council as Local Planning Authority **HEREBY MAKE THE FOLLOWING DECISION (S):**

The works hereby consented shall consist only of those detailed in the application, as amended by this decision notice and qualified by these conditions and shall be completed within 2 years of the date of this decision.

**Tree works granted**

The pruning works shall consist of the following:

Crown lifting to a **maximum** height above ground level of 3 metres.

**Conditions**

**The work shall not include:**

The removal of any branch of which any part is more than 50 millimetres in diameter, measured over the bark.

**Method of carrying out the permitted works**

All works shall be carried out so as to conform to British Standard 3998:2010, Recommendations for Tree Work and/or European Tree Pruning Guide 2001.

**Informative Note**

**Bats and Trees**

Under the Countryside and Rights of Way Act 2002 all trees, which are to be felled, must be inspected to ensure that bat roosts are not present. A bat roost is interpreted as 'any structure or place, which is used for shelter or protection', whether or not bats are present at the time.

If any proposed work is likely to destroy or disturb bats or their roosts, the appropriate Statutory Nature Conservation Organisation (English Nature for address see below) must be notified, and allowed a reasonable time to advise on whether proposed action should be carried out and, if so, the method to be used.

### **Birds and Trees**

Trees should be inspected for birds' nests. It is an offence under section 1 of the Wildlife and Countryside Act of 1981 to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built. Trees should be inspected for all birds' nests all year round but especially between the months of March and August.

### **IMPORTANT INFORMATION**

- Informative notes where provided, do not form part of the decision itself but are included as guidance. Informative guidance is for the purposes of this application only and does not constitute a full arboricultural assessment and report.
- In the case of a grant of consent, this notice only grants consent for works you have proposed to undertake to trees for the purpose of the above legislation. If you decide to implement this decision please make sure you have obtained all necessary approvals before starting work. This will include the consent of the owner of the tree(s) if any are not on your land and the owner/occupier of any land through which you need to gain access, in order to be able to undertake the permitted work. If in either case permission is not granted, then the works cannot go ahead.
- The District Council, once it has made its decision regarding your proposed works, cannot become involved in boundary or ownership disputes or securing of access or permission from the owner. These should be resolved before carrying out permitted works.

### **Human Rights Act 1998**

It is considered that a decision made in accordance with the Legislation contained within the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999 would not result in any breach of Convention Rights.

### **TREE WORK PERMISSION GRANTED?**

#### **Conditions:**

If permission has been granted you will see that it may be subject to certain conditions. Conditions are necessary to control the details of the work proposed or the manner in which it is carried out, this is extremely important in terms of the future amenity contribution, health and safety of the tree(s), please pay particular attention to them, it is **YOUR RESPONSIBILITY** to comply fully with them.

### **YOUR RIGHT OF APPEAL**

If you disagree with our decision you can appeal to The Secretary of State at The Office of the Deputy Prime Minister. If you want to appeal, you must do so by writing to the address listed below within 28 days from the date you receive this decision.

The Environment Team  
Planning Inspectorate  
Room 4/04, Hawk Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Email:- [Environment.appeals@pins.gsi.gov.uk](mailto:Environment.appeals@pins.gsi.gov.uk)  
Fax:- 0117 372 6241

Phone:- 0117 372 6382

**COMPENSATION**

If you suffer any loss or damage as a result of a refusal of consent, you may be entitled to recover compensation from the Council. If you wish to make a claim you must do so within 12 months from the date of this decision (or if you appeal to the Secretary of State, within 12 months from the date of his decision). Claims should be made in writing to

Mr Mark Taylor  
Head of Environment and Public Protection  
North Kesteven District Council  
PO Box 3  
District Council Offices  
Kesteven Street  
Sleaford  
NG34 7EF

Dated: 27 August 2014

Signed:

Graham Wilson

Tree Officer, Environment and Public Protection, North  
Kesteven District Council, Kesteven Street, Sleaford,  
Lincs

Useful addresses:

**Statutory Nature Conservation Organisation**

English Nature  
The Maltings  
Wharf Road  
Grantham, NG31 6BH