



Notice of Decision

Mr Joe Cane
102 Kirkby Road
Sutton in Ashfield
Mansfield
Nottingham
NG17 1GH

The Town and Country Planning (Tree Preservation)(England) Regulations 2012

Application for:	Works to Tree/s Protected by TPO
Application No:	24/01828/TPO
Applicant:	Mr Matthew Robinson
Agent:	Mr Joe Cane
Proposal:	<p>Undertake work to trees protected by TPO 93 and identified as part of W1: G1 - Mixed Species Crown lift to 5.5m along the entire length to fulfil statutory requirements and compensate for additional weighting of the foliage next summer.</p> <p>Horse Chestnut within the Northerly portion of the group Remove all limbs that extend beyond the wall with a growth habit toward the road and reduce the failed top section by approximately 2m to the first suitable growth point.</p> <p>Sycamore in the Southern end of site that has lost one of its stems. Given the size of the wound and the structural instability we propose to remove the remaining stem.</p>
Site Address:	<p>Easthorpe Court Fiskerton Road Southwell NG25 0TH</p>

Newark and Sherwood District Council as Local Planning Authority in pursuance of their powers under the said legislation **Grant Works to Tree/s Protected by TPO** for the works described as above, subject to the following conditions.

Conditions:

01

This permission shall authorise the carrying out of the approved tree works, as described in the proposal above, within 2 years of the date of this permission.

Reason: To define the work and timescale of the permission and to allow further assessment in the event of the works not being carried out.

02

The agreed works shall be carried out in accordance with the appropriate recommendation of BS3998:2010 (Tree Work).

Reason: To safeguard the visual amenity of the area.

A copy of the decision notice and the officer/committee report are available to view on the Council's website.



Authorised Officer on behalf of Planning Development, Newark and Sherwood District Council

Date: 18 December 2024

Note: Attention is drawn to the attached notes.

Important note:

Please note that this letter only grants consent for works undertaken on this request, for on-going pruning or maintenance in the future a further request is required to assess the proposal. It should not be assumed that granting works now will allow you to undertake works without consent in the future.

If you are not the owner of the tree(s) in question you will need to obtain the owner's consent for any works carried out on their land. Can I also bring the following to your attention:

- If the vegetation encroaches upon a building the tree owner has a 'duty' to remove the legal nuisance. This is a civil matter and does not involve the district council in negotiation with the neighbour involved;
- If the vegetation simply encroaches upon the airspace of your garden you may prune back to the boundary at your own expense, but no further without the express permission of the tree owner. You/your contractor cannot enter the neighbouring land (to climb the tree) without the land owner's agreement; and
- The timber does, however, belong to the tree owner and should first be offered back to them. They should indicate where it should be conveniently placed. If it is unwanted you or your contractor should arrange for the timbers proper disposal. It would not be reasonable to carry out the work and simply return the timber over the boundary. They may not take kindly to such action. Please consider your position if the situation were reversed. Your own legal adviser can explain the situation further and the options available to you.

Prior to starting work, it is necessary to be satisfied that the proposals will not harm protected species including bats, nesting birds or other species as specified.

Bats and trees:

Under the Countryside and Rights of Way Act 2002 all tree, 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 and their roosts or you require specialist Ecological advice before implementing the work you must notify Natural England (The Maltings, Wharf Road, Grantham, Lincs NG31 5BH – Tel: 01476 584800) for advice 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.

It would be the responsibility of the tree contractor and landowner to ensure that this aspect is fully addressed. You can locate Ecological Consultants online.

Help to keep our District a cleaner and less polluted place.