Wiltshire Council
Where everybody matters

Town & Country Planning Act 1990

Notice of Permission to Carry Out TPO Tree Work

Application Reference Number: 16/09879/TPO

Agent	**Applicant** Mr Garry Pells 37 Vespasian Road Marlborough Wiltshire SN8 2FB
Particulars of Development: T3 - Walnut tree - crown thin & lift by approx 25% and reduce overall by approx 3m	
At: Ash Lodge, Chopping Knife Lane, Marlborough , SN8 2AT	

In pursuance of its powers under the above Act, the Council hereby GRANTS CONSENT for the tree works referred to in the above particulars of development to be carried out in accordance with the application and plans submitted, subject to compliance with the condition(s) specified hereunder:-

1 The applicant is advised that the works hereby permitted shall be carried out within 2 years from the date of this approval or the consent will expire.

2 The work hereby permitted shall be carried out in accordance with good practice as set out in British Standard Tree Work - Recommendation for Tree Work", BS 3998: 2010 or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

REASON: To prevent inappropriate work being undertaken to protected trees.

3 The crown reduction works hereby granted consent shall be undertaken on the whole canopy and limited to the removal of not more than 25% of the existing crown. Where surgery is undertaken branches shall be reduced back to suitable growth points leaving a flowing branch line with no stub and where possible retaining the natural shape of the of the tree.

REASON: In the interest of maintaining healthy trees and the visual amenity and character of the local area.

4 Crown Thinning: The removal of a proportion of secondary and small, live branch growth to produce an even density of foliage around a well spaced and balanced

branch structure. Generally thinning should avoid the centre of the tree and concentrate on the branch ends. Crossing, weak, dead and damaged branches should be removed. Crown cleaning is normally included as a part of thinning.

5 Crown Lifting: This involves the removal of the tips of the lower branches to achieve a specified height above ground level. Main (primary) branches may be removed but only when specified in the consent letter.

INFORMATIVES TO APPLICANT:

1. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) (as amended) and the Conservation of Habitats and Species Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

2. The applicant should note that this consent does not affect any private property rights and therefore does not authorise the carrying out of any work on land, or entering land outside his/her control. If such works are required it will be necessary for the applicant to obtain the landowners consent before work starts.

3. Crown reduction, crown thinning and crown raising are considered to be inappropriate pruning regimes when combined on one tree. The conditions set out above are to inform the applicant that EITHER a crown reduction of no more than 25% is carried out OR to thin the canopy by 25%. Both operations should be AVOIDED together as this would have a detrimental effect on the long term health and vitality of the Walnut as set out in section 7 of BS3998-2010 Tree Works-Recommendations.

Signed



Director for Economic Development & Planning
Dated: 21 November 2016

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NOTES

1. Right of appeal against Tree Works conditions

If you are aggrieved by the decision of the local planning authority to impose any conditions on this decision notice you may appeal to the Secretary of State for Communities and Local Government in accordance with Regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 within 28 days of the date of this decision. Details of the appeals procedure and forms can be found at the Planning Portal –

http://www.planningportal.gov.uk/planning/appeals/otherappealscasework/treepreservation

Or alternatively direct from the Planning Inspectorate –

The Environment Appeals Team
Trees and Hedges
Room 3/25 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Telephone: 0303 444 5584

A copy of the appeal documents should be sent to Wiltshire Council –

planningappeals@wiltshire.gov.uk

2. Compensation

If you suffer any loss or damage as a result of this refusal of consent, you may be entitled to recover from the Council compensation. 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 the 12 months from the date of his decision). Claims should be made to the following address –

developmentmanagement@wiltshire.gov.uk