Wiltshire Council

The Town and Country Planning Act 1990

Notice of Permission to Carry Out TPO Tree Work

Application Reference Number: PL/2023/10975

Decision Date: 02 February 2024

Applicant:	Barchester Care Homes Henford House Nursing Home Lower Marsh Road, Warminster, Wiltshire, BA12 9PB
Particulars of Development:	T1 - Thuija - Fell - Dead. G1 - Mixed species - Crown raise trees throughout car park to 5.2meters. G2 - Mixed species including, Laurel, Holly, Yew & Willow - Reduce back extended lateral limbs by 2 - 3 meters ensuring good clearance from building.
At:	HENFORD HOUSE NURSING HOME, LOWER MARSH ROAD, WARMINSTER, BA12 9PB

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:-

Conditions: (3)

1 The work hereby granted consent shall be carried out and completed within 2 years.

REASON: To enable the local planning authority to reassess the acceptability of the work in light of changed circumstances if it has not been completed within this period.

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 species, size and location of the 1 replacement tree authorised by this consent should be agreed in writing with the Local Authority prior to the removal of the existing tree.

The new tree(s) shall be established by the end of the 2024/25 planting season. All plant material should comply with the minimum British Standard requirement for tree planting, these being BS3936 (Part 1 & 4), BS4428:1989 Section 7, and BS4043.

The replacement tree(s) shall be sited at or as close to the position of the felled tree(s) as reasonably practicable.

The replacement tree shall be properly maintained for a period of 10 years. If the tree/s is/are removed or become damaged or diseased within this period they shall be replaced in the next planting season with the same species. If a variation in species is required due to disease, agreement must be sought in writing from the Local Planning Authority before the replacement is planted.

REASON: To ensure that trees are replaced for the benefit of visual amenity and character which at present exists on site.

Parvis Khansari - **Corporate Director, Place**

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. There is a legal duty of care incumbent on the customer and contractor that all commercial waste generated as a result of the works hereby authorised is safely contained, transported and disposed of lawfully in line with the Environmental Protection Act 1990 and Environmental Permitting Regulations 2016 (as well as any other related legislation). Failing to do so can lead to individuals or organisations being prosecuted for unlawful waste management.

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

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

planningappeals@wiltshire.gov.uk