Wiltshire Council

# The Town and Country Planning Act 1990

## Notice of Permission to Carry Out TPO Tree Work

## Application Reference Number: PL/2023/10916

## Decision Date: 08 February 2024

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| **Applicant:** | Polly Mason<br>Salisbury City Council, The Guildhall, Market Place, Salisbury, SP1 1JH |
| **Particulars of Development:**<br>**At:** | Beech Tree - Monolith to approx.5m from ground level<br>Harnham Slopes -15 BISHOPS DRIVE, EAST HARNHAM, SALISBURY, SP2 8NZ |

**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 permitted works shall be carried out in accordance with BS3998:2010.

Reason: To ensure that works are undertaken in an appropriate manner.

2 The approved works must be completed within two years from the date of the decision notice. A new application must be made for any works required thereafter.

Reason: To ensure that the works undertaken are appropriate to the current state of the trees in relation to their surroundings.

3 A replacement tree, of a genus/species to be agreed in writing, shall be planted within six months to replace any tree that is removed. The new tree/s should be at least light standard and should be planted in a position to be agreed with the local planning authority and maintained in accordance with good practice. If, within a period of 5 years from the date of planting, the tree (or any other tree planted in replacement for it) is removed, uprooted or destroyed or dies, another tree of the same size and species shall be planted in the same place, or in accordance with any variation for which the local planning authority give their written consent.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the existing tree or trees is maintained by the provision of adequate replacement(s).

*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