



B O S T O N

BOROUGH COUNCIL

Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation) England
Regulation 2012

WORKS TO TREES PROTECTED BY A TREE PRESERVATION ORDER

Application Reference: B/24/0069

Applicant: Miss Angela Butler
GFI Properties Ltd
Marsh Lane
Boston
PE21 7TX

Tree Preservation Order Ref West Skirbeck No2 & West Skirbeck No 2 1957
59, Garfits Lane, Boston PE21 7EX

I refer to the above application, which was received by Boston Borough Council on and gives notice that you wish to undertake the following work as described on your application;

Application for works to trees subject to Tree Preservation Order West Skirbeck No2 & West Skirbeck No 2 1957:

T01 - Oak Tree - Prune Limb to the branch junction to give 100cm clearance, remove branches less than 20cm diameter within 4 metres of roof & raise crown by 2 metres

T599 - Crack Willow - Fell

T600 - Sycamore - Fell

T604 - Crack Willow - Fell

In pursuance of their powers under the above mentioned Act and Regulations, Boston Borough Council as Local Planning Authority, hereby issue a **split decision** for the proposed works.

The Council GRANTS CONSENT to carry out the following elements of the proposed tree works:-

GRANT Consent for the following works to the T01 - Oak:

- removal of branches of less than 20cm diameter that are within 4m of the roof; and
- pruning of the lowest limb growing in north-easterly direction to a branch junction immediately above the roof.



GRANT Consent for the felling of the T600 - Sycamore. The applicant should, however, be reminded

- of their duty (under section 206 of the Town and Country Planning Act 1990) to plant a replacement tree of an appropriate size and species at the same place as soon as they reasonably can; and
- that the replacement tree will be automatically protected by the original Order.

Unless otherwise stated within the conditions above;

- All works should be completed within two years of the date of this notice.
- This consent only allows for the identified works to be carried out once.
- All works should be carried out in accordance with the British Standard BS 3998:2010 – Tree Work-Recommendations.

The Council hereby REFUSE TO GRANT CONSENT to carry out the following elements of the proposed tree works;

REFUSE Consent for T01- Oak Tree- the raising of crown by 2m

For the following reasons;

1. The tree contributes positively to the character and appearance of its surroundings and the proposed works would significantly reduce its public amenity value, and are not justified by the findings of the accompanying tree report.

Decision Date; 28-Mar-2024



Phil Norman

Assistant Director – Planning & Strategic Infrastructure
(Chief Planning Officer)

South & East Lincolnshire Councils Partnership

Informatives:

1. The crack willows (T599 and T604) are not protected by the West Skirbeck (Boston) Tree Preservation Order No.2 (1957), and that consent is therefore not required for their felling.

INFORMATION

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.

YOUR RIGHT OF APPEAL

If you disagree with our decision, you can appeal to The Secretary of State. 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.

Forms of appeal may be obtained from:-

www.gov.uk/government/publications/tree-preservation-order-appeal-form

TPO Appeal Team are based at:

Environment Appeals Team
Trees and Hedges
3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

E-mail: environment.appeals@planninginspectorate.gov.uk

Telephone: 0303 444 5584

COMPENSATION

If you suffer any loss or damage as a result of this decision, 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:

Boston Borough Council
Municipal Buildings
West St
Boston
PE21 8QR