



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/21/0525

Applicant: Mr Andrew West
Vinci Construction UK Ltd
17 Navigation Court
Calder Park
Wakefield
WF2 7BJ

Tree Preservation Order Ref No. Boston 29.

Cork Tree Crescent, Off London Road, Boston, PE21 7EQ

I refer to the above application, which was received by Boston Borough Council on 06-Dec-2021 and gives notice that you wish to undertake the following work as described on your application;

Application for works to trees subject to a Tree Preservation Order (Boston No.29) to include:

T1 - Cork Oak - Temporary propping & trimming back of branches to allow demolition of surrounding buildings. Also methodology for demolition as outlined in Arboricultural Report

In pursuance of their powers under the above mentioned Act and Regulations, Boston Borough Council as Local Planning Authority give consent for this proposal subject to the following conditions:-

1. The following will be undertaken:

A. Tree and shrub saplings growing beneath the cork oak tree will be removed, cutting stems to ground level. This operation will be carried out by hand, taking care to avoid damage to the tree.

B. Semi-mature sycamore and laurel trees providing support to the branch to the north-western branch of the cork oak will be retained during demolition. They will be removed on the completion of demolition, subject to further assessment by the Arboricultural Consultant.

C. The partially collapsed stem on the cork oak tree T37 will be retained.

D. The two remaining branch props will remain in-situ. In order to maximise their life span, they will be repainted with a suitable red oxide paint, as advised by the contractor in liaison with the Arboricultural Consultant.

E. Once the site works are complete, the branch props will be reinspected every 18 months, on the same reinspection cycle as the tree.

F. Branches that overhang the adjacent buildings will be pruned back to at least 1.0m beyond the building line. The branches will be cut at the first side branch available beyond this point.

G. The pruning will be carried out by competent arboricultural contractors, and be carried out in accordance with BS3998:2010 'Tree Work – Recommendations'.

H. The branch to the west will be provided with temporary support (Acro prop or similar with foam padding as advised by the contractor in liaison with the Arboricultural Consultant) before it is pruned as it is currently strongly supported by the building and may be at risk of collapse once this support is removed. The branch will be reinspected by the Arboricultural Consultant at the next visit to determine whether permanent support is required.

I. The cork oak tree will be protected during construction in accordance with the proposals detailed in the Arboricultural Method Statement and shown on the Tree Protection Plan.

J. The Arboricultural Method Statement includes proposals for an excavator to pull the walls inwards onto the building footprint and away from the tree. Walls adjacent to the tree will be demolished by hand if this cannot be achieved successfully and there is risk of walls falling towards the tree.

K. Where possible, the building foundations and other below-ground structures will be left in-situ where they abut the tree's RPA. These will be removed to just below the existing ground level (<50mm), before being lightly covered with topsoil.

Reason: To ensure the work is undertaken to an appropriate standard and in accordance with the arboricultural advice provided as supporting evidence in this application.

2. The works will be completed within 2 years of the date of this consent.

Reason: To ensure the work is undertaken to an appropriate standard and in accordance with the arboricultural advice provided as supporting evidence in this application.

Unless otherwise stated within the conditions above;

- 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.

Decision Date; 14-Jan-2022



Mike Gildersleeves
Assistant Director – Planning
Boston Borough Council and East Lindsey District Council

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 is 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