

## Town & Country Planning Act 1990

### **Notice of Permission to Carry Out TPO Tree Work**

**Application Reference Number: 20/00113/TPO**

<p>Franklins Garden Design 19 Pool Gastons Road Malmesbury Wiltshire SN16 0DE</p>	<p><b>Applicant</b> Mrs Ann Kingdon Lyneham Parish Council 48a Calne Road Lyneham Chippenham Wiltshire SN15 4PN</p>
<p><b>Particulars of Development:</b> <b>Crown Rise all Trees to 2.4 Metres Above Ground Level</b> <b>303 Fell 1 Diseased Elm Tree</b> <b>304 Remove Dead stem Damaged on Red chestnut and tip growth to be removed by wire.</b> <b>308 Remove Epicormic Growth from Base of Pink Horse Chestnut and 1 Metre Directional-Pruning Around Wires.</b> <b>315 Ash tree needs monitoring for ash die back and cut back around cable.</b> <b>316 1 Metre Directional Pruning Around Wires to Ash Tree</b> <b>345 Beech Tree needs 2m reduction all over due to large branch which came down over the road, tree is now exposed until growth reappears on this side reduction will counterbalance this</b> <b>375 Remove Epicormic Growth from Lime tree</b> <b>376 Remove Large Branch Over Main from Black Poplar</b> <b>383 Up to 4 Metres Reduction to Silver Birch</b> <b>418 Fell Dead Crack Willow</b> <b>421 Coppice Goat Willow to 30cm</b> <b>426 1 Metre Directional Pruning Around Wires to Ash tree</b> <b>427 1 Metre Directional Pruning Around Wires to Beech Tree</b></p>	
<p><b>At: The Green, Lyneham, Chippenham, Wiltshire,</b></p>	

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 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.

- 2 The work hereby granted consent shall be carried out and completed within two years from the date of this consent.

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.

**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.

**Signed**

*Sam Fox*

**Director Economic Development & Planning**

**Dated: 21 February 2020**

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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](mailto: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](mailto:developmentmanagement@wiltshire.gov.uk)