

WORKS TO TREES WITHIN A CONSERVATION AREA: WORKS ALLOWED

Applicant:

Mrs Susan Bentley
2 Bridge Street
Pembridge
Leominster
HR6 9ES

Agent:

Mr R Dry
Bryn Tegan
Colva
Kington
HR5 3RA

Application code: 183322
Date of receipt of application: 31 August 2018

Grid ref: 339086 258192

Proposal:

SITE: 2 Bridge Street, Pembridge, Leominster, Herefordshire, HR6 9ES
DESCRIPTION: T1 Purple Plum - Reduce crown by 1.5m all round.
G2 4 x Dogwood - Raise crowns to 2.5m.
T3 - Fell small Holly.

The COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL has duly considered your notice of intention to carry out the above mentioned operation(s) and you are **HEREBY NOTIFIED** that **the works are allowed**.

INFORMATIVES:

- 1 All nesting birds, their nests, eggs and young are protected by law and it is an offence to:
 - intentionally kill, injure or take any wild bird
 - intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
 - intentionally take or destroy the egg of any wild bird
 - intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural England and the Council's Ecologist.

2 It is an offence for any person to:

- Intentionally kill, injure or take any bats.
- Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.

Under the Habitats Regulations it is an offence to damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 that works to trees or buildings where that work involves the disturbance of a bat is an offence if a licence has not been obtained from Natural England. If a bat is discovered while work is being undertaken, all work must stop and advice sought from Natural England (0300 060 6000) and the Council's Ecologist. Advice is also available from the Bat Conservation Trust Helpline on 0845 1300 228.

- 3 Any approved works should be completed within 2 years from the date of the submitted Notice of Intention. In order to comply with the requirements of Section 211 of the Town and Country Planning Act 1990.
- 4 Herefordshire County Council promotes good standards of arboriculture and recommends all tree works are undertaken by suitably qualified and insured contractors in accordance with BS3998:2010 Recommendations for Tree Works.
- 5 Under the Wildlife & Countryside Act it is an offence to kill or injure all Wild birds and young. It is also an offence to destroy or damage an active nest. Applicants/agents are advised to take all reasonable precautions in assessing vegetation prior to beginning any work. Any work should stop if a nest is discovered which could be disturbed
- 6 It is advised that all future applications or notifications to carry out tree work on trees either protected by a Tree Preservation Order or within a Conservation area is accompanied by photographs.

Built and Natural Environment Team
PO Box 4
Hereford
HR4 0XH

Decision Date: 31/10/2018

Signed: 
Principal Natural Environment Officer

This consent expires 2 years from the date of this decision.