

Mr D Tointon
Kingston Lodge
269 High Road
Whaplode
Spalding
PE12 6TG

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990

WORKS TO A PRESERVED TREE

Reference: H23-0509-22 **Date of Decision:** 12th July 2022
Applicant: Mr D Tointon
Kingston Lodge
269 High Road
Whaplode
Spalding
PE12 6TG
Location: The Old Chapel Millgate Whaplode Spalding
Description: Works to Whaplode Tree Preservation Order No 8 2017

Detailed Description:

Application to remove a field maple located in the north side of the grounds of 'The Old Chapel', Millgate, on the road frontage adjacent to Buttercup Paddock. Please see the plan accompanying the Application and Supporting Information on the file.

The tree is within Area One of Whaplode Tree Preservation Order No. 8 2017.

'Removal of field maple number 3737

Retention of tree number 3840

Retention of tree number 3841

Planting of new field maple near store, next to tree 3800'.

(Trees 3840 and 3841 sycamores were originally given consent to be felled under Application No. H23-0738-19).

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

- 1 That the proposed work is carried out within two years of the date of this decision unless

otherwise agreed with the District Council.

- 2 Work is to be carried out in accordance with BSI 3998 : 2010, 'Recommendations for Tree Work'.
- 3 The tree to be felled shall be replaced by a field maple of at least 1.5 metres high on planting within a period of twelve months from the date of felling. The replacement shall be planted in a position immediately adjacent to the eastern boundary of the site to the north of the store, as indicated in orange on the plan accompanying the Application. Please plant in a position which will allow sufficient space for growth without impinging on the store. (Effectively the tree will be in a proposed hedge line, but should be allowed to grow as a standard tree within that line, as opposed to being cut to form the hedge).
- 4 If within a period of five 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 at the same place; or in accordance with any variation for which the Local Planning Authority give their written consent.

Notes:

The necessary consent of all other interested parties should be obtained before the works proceed.

The two sycamores identified as 3840 and 3841 are now to be retained, which will effectively void their proposed removal under H23-0738-19. Whilst on site it was noted that some constriction was present around the trunks of one or both trees, it is strongly recommended that the constriction is removed, if not done so already.

Ideally when planted the replacement tree should have a suitable tree guard to help protect it from damage by animals such as voles and rabbits until established. If staked, the ties will require adjusting as it grows and both ties and stake removed when the tree is well rooted. Water during dry periods for at least the first growth season. This will enable the tree to take advantage of the long daylight hours of spring and summer to establish its roots; rather than struggle to survive during the hot summer sun.

Please inform the Local Planning Authority as soon as replanting has taken place and indicate the position of the replacement tree. Section 207 of the Town and Country Planning Act 1990 empowers this Authority to issue a Notice formally requiring replacement trees to be planted.

Under the Wildlife and Countryside Act 1981 (as amended) all birds, their nests and eggs are protected by law and it is an offence to damage or destroy the nest of any wild bird while it is in use or being built. In the event of query please contact Natural England on Tel: 03000 603900.

Bats are protected species under the Wildlife and Countryside Act 1981 (as amended) and in the event that bats are living in any cavities in the tree(s), or if they are discovered while the works are taking place, please inform Natural England on Tel:03000 603900 before works proceed.

A handwritten signature in blue ink, appearing to read 'Phil Norman', with a horizontal line extending to the right.

Phil Norman
Planning Manager
South Holland District Council

RIGHTS OF APPEAL:

Where an application is made to the Authority for consent and that consent is refused or is granted subject to conditions the applicant, if aggrieved by the decision, may appeal to the Planning Inspectorate (PiNS). Appeals must be received by the PiNS within 28 days of the Council's decision. The appeal should be made on the relevant TPO (consents) appeal form which can be obtained from PiNS. The form can be found on the Planning Portal website at:

www.planningportal.gov.uk/planning/appeals/otherappealcasework/treepreservation

Alternatively a form can be obtained by writing to The Environment Team, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN or telephone on 0117 3728192

If you visit the Planning Portal web site you will be able to complete the appeal form and return it to PiNS electronically via the email address:

environment.appeals@pins.gsi.gov.uk