

Mrs C Tointon
The Old Chapel
Millgate
Whaplode
Spalding
PE12 6RR

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: H23-0510-25 **Date of Decision:** 16th July 2025
Applicant: Mrs C Tointon
The Old Chapel
Millgate
Whaplode
Spalding
PE12 6RR
Location: The Old Chapel Millgate Whaplode Spalding
Description: Works to Whaplode Tree Preservation Order No. 08 2017

Detailed Description:

Application to remove a semi-mature variegated sycamore tree from the eastern boundary of the newly built property known as 'The Old Chapel'.

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

In the words of the Applicant:
'Removal of sycamore tree.

The trunk is three metres from the rear of the house which is mostly glazed upstairs and down. Sycamore canopy even closer.

Since the sap etc has been coming off the tree I have been having' a medical problem related to it. 'The sap is sticking to the glazing and has to be washed daily. I cannot use washing line; patio slabs, garden furniture are covered in sap and seeds.

Guttering needs regular maintenance. I cannot open windows nor doors as sap and seeds blow into house with the north east winds.

I have already planted 20 plus Red Robins (established) which are a greater visual amenity than

one tree hidden behind the house. This will become a bigger on going problem.

Photos will be emailed showing the problems.'

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 resulting stump of the tree should be ground out /removed to at least 300mm below ground level, unless otherwise agreed with the District Council, to help reduce the risk of the stump harbouring decay fungi which could infect nearby trees.
- 4 The variegated sycamore to be felled shall be replaced within a period of twelve months from the date of felling. The replacement shall be an Amelanchier of a species which will grow into a small tree rather than a shrub form; such as an Amelanchier lamarckii. The tree to be of at least 1.5 metres high on planting, set into the garden to reduce overhang into the adjacent field when mature.
- 5 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.

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.

(Please note that consent was only given to remove this tree due to the medical condition of the Applicant and the closeness of the tree to the window in the bedroom, preventing the opening of the window. This does not set a precedent for the removal of other sycamore(s) on site in any way.)



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
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:

<https://www.gov.uk/appeal-decision-about-tree-order>

Alternatively a form can be obtained by writing to Environment Appeals, Room 3A Eagle Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN or telephone on 0303 444 5000.

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:

treeandhedgeappeals@planninginspectorate.gov.uk