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

# TOWN AND COUNTRY PLANNING ACT 1990
# WORKS TO A PRESERVED TREE

**Reference:** H23-1339-21 **Date of Decision:** 16th February 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. The tree is identified as 3737 on the site plan accompanying the Application.

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

In the applicant's own words:
'Removal of field maple no. 3737.'
'I have had many conversations with local residents whom admire and appreciate the rebuilding of the Chapel and their comments are that tree 3737 overshadows and spoils the character of this historic building.
The tree is a poor specimen that causes excessive shadowing, has a low amenity value and prior to the TPO had various random branches removed.
I propose the planting of hedges which is part of our Planning Permission that will greatly compliment the Chapel's architectural design and add to the visual amenity.'

## South Holland District Council hereby give notice that this application has been

## REFUSED for the above proposal for the following reason(s):

1 The Applicant provides insufficient reason to justify the removal of a preserved tree, on what is effectively a 'new build' site.
In response to the applicant's reasons for removal:

Local residents commented that the tree in question, ' overshadows and spoils the character of this historic building.'

It is the tree which is disadvantaged, not the building; which might be 'historic', but in relation to the site is a 'new build.'

The tree can not be accused of overshadowing 'this historic building', as the tree grows on the north side of this newly constructed building, the building overshadows the tree, shading light from the south, and the rain blowing in from the south west.

'The tree is a poor specimen that causes excessive shadowing, has a low amenity value and prior to the TPO had various random branches removed.'

The comment in relation to shadowing has already been answered.

The value which the tree contributes to the amenity of the site as a whole, is by nature subjective, and we must balance the views of those who wished the treed landscape character of the site to be retained, with those who appreciate the historic significance of the new building.

The tree may have had branches removed in the past, but this does not reduce its visual significance.

'I propose the planting of hedges which is part of our Planning Permission that will greatly compliment the Chapel's architectural design and add to the visual amenity.'

The tree will not detract from the planting of hedgerows.

We should consider this Application for tree removal on its own, which has been completed above; but the amenity which this tree gives is so closely interlinked to others on the site, that it can not be viewed entirely without reference to the whole. At this location so many trees have been removed from the site to enable it's development; coupled with those removed due to electricity wire re-alignment; it is considered that those remaining should be cherished, to preserve the landscape character of this part of Whaplode.

An application for the tree to be selectively reduced may receive favourable consideration.



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