

PLANNING COMMITTEE DATE: 8th February 2023

APPLICATION NO: TPO 04/2022

SITE LOCATION: Shallon, Cats Lane, Tydd St Giles, Cambridgeshire

UPDATE

Full Objection to be presented

A request was received from the objector to this application requesting Members were presented with the full objection letter to the above TPO application for their consideration.

LPA Response

The Case Officer summarised the letter received within the body of the Committee Report outlining the main points in respect of the objection received. Notwithstanding, at request of the objector, the full letter of objection is appended to this update report for consideration by Members.

Recommendation: Confirm proposed TPO 04/2022 – The above update does not alter the original recommendation as set out on page 153 of the agenda.

Mr and Mrs Grainger
Roselea, Kirkgate, Tydd St Giles, PE13 5LB
Also land next Shallon Title CB410044

For the attention of, Peter Catchpole, Danielle Brooke, Graham Causey

Objection to TPO04/2022

We write in regards to the plan to add TPOs to two trees along our boundary with Shallon. We have read the reason for the application by Shallon which states:

There is ongoing development in Tydd St Giles and a number of trees have been removed over time. The tree owners have requested TPOs are placed to ensure their long-term retention and **protection** from any future developments that make take place.

We would like now to provide a copy of just one of the objections from Shallon about out proposed development from the 10 they have added to the application, 5 from Shallon and 5 from family members.

24 Nov 2022 Neighbour Response



On Monday 26th September 2022, Fenland's tree officer, Graham Causey, visited Shallon, over my concerns for the trees on the eastern boundary of Shallon, adjacent to the proposed site. Graham was in agreement that several of Shallon's trees required protection from any proposed development on the adjacent site, now or in the future. He confirmed that he would be placing Tree Protection Orders on them and is in the process of doing so on my behalf. Whilst discussing the planning application, concerns were raised by Graham, regarding the Willow trees on the northern boundary of the proposed planning site. Graham explained that any transportation of the Willow trees that mature, required planning over a few years. Hydraulic spades, that lie on circumference around the tree, would wrap around the roots and be lowered in small sections, each time cutting the old roots. This timely process would give way to new growth, within the perimeters of the spade/s. Eventually new roots would form in the spade, allowing for transportation. Once transported the Willow trees would require alot of watering and survival wasnt guaranteed. The process would not be financially viable and the whole process would take approximately 2 years, which would need to be done before any construction started. Taking into consideration several factors and the above, Graham felt that the only option was to place Tree Preservation Orders on all the Willow trees on the northern boundary of the proposed site, which is currently going through under Graham Causey personally.

We have since met with Graham on site and went over what had been said on our application, he has no objection to the application and no intention of putting any TPOs on our trees because he remembered our application to pollard these trees which was dangerous and in a bad state and has seen the plan includes to double the trees along the road as well as a mixed native hedge. He also acknowledged that even though we have done our very best to save the trees, they are in a very bad condition with regards to health and years of neglect and more trees would be added to replace any that don't survive since pollarding. Mr Grainger was a tree surgeon for many years and landscaper and fully understands the importance of trees and how to reduce, pollard and protect trees as well as land maintenance, this was why the willows was pollarded and not removed as advised by the tree surgeon at the time. No trees have been removed on the land since we bought it and moving trees back is a very easy and simple process if it needs to be done and does not take years but can be done in a day.

We would question the true reason why these TPOs have been applied for and if it is because they wish to protect the trees or effect the proposed build next door? If it was just about the protection of the Norway Mapel which is overhanging our fence and boundary by 45 degrees lean, see the following picture



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Or is it an attempt to try effect the planning? Please see the next picture of the young oak which they also wish to protect.





We would note that this fence was only built in August 2022 and our application was validated August 1st 2022. It was built over the roots of the very oak tree they then applied for protection for in September 2022, even though they had already caused damage to the very tree they wish to protect. Also, you will see one of our willow trees in that corner which they also wanted to put a TPO on, yet also dug through the roots of that? We understand they thought that by putting this fence there it would cause an obstruction to our splay, this was not the case which is why they have now gone down the route of TPOs on trees we own and theirs. We would like to note though the fence they have installed is a breach of their own planning consent in relation to the exit of their own property and joining of highways and their own splay which is now obstructed.

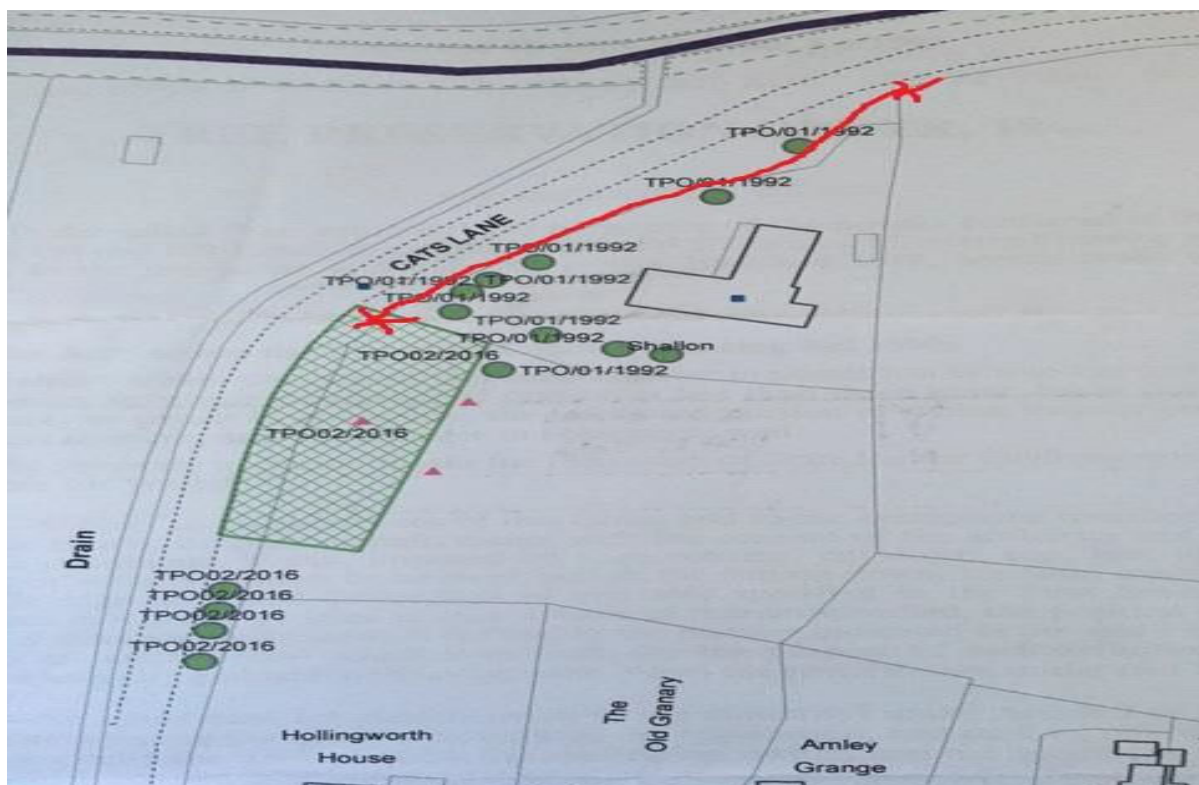
Next you will see some pictures of work undertaken in February 2022 by the new build next to Shallon F/YR15/0792/F to join to the electric , this was work done by the builder and a digger which not only went through the roots of the oak but also our willows, this trench went from the front of the new build and followed the fence line of Shallon through the roots of the following trees, yet Shallon raised no complaint about this? Was this work approved by FDC or the tree officer?

TPO/01/1992 T2 SYCAMORE

TPO/01/1992 T3 BEECH

TPO/01/1992 T4 BEECH

TPO/01/1992 T5 WILD CHERRY





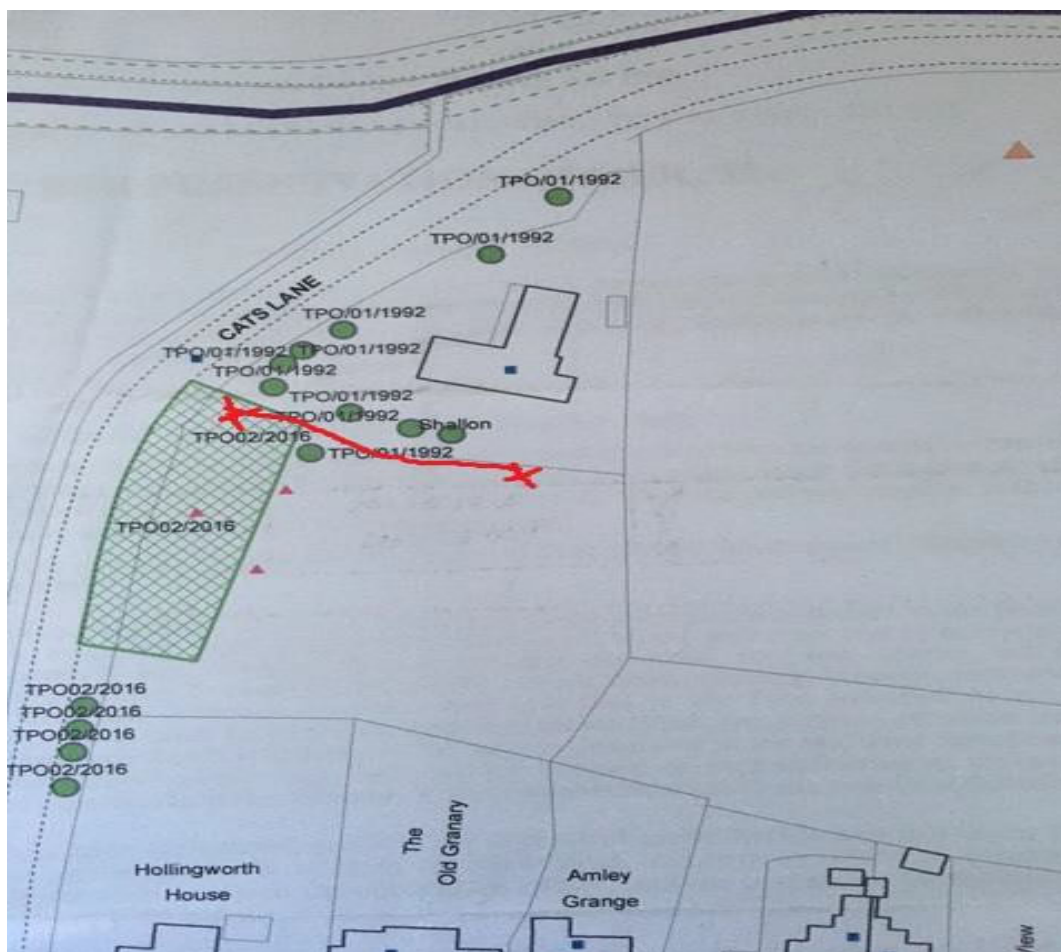
You can see in picture 1 the trench at the top of the photo which cut through the roots of all the protected trees along Cats Lane, but question why no complaint raised by Shallon at the time to the tree officer?

Then we have the site next to Shallon, we have been the only objections to the trees which have been removed against plan apart from Mr Rose. We have seen mature trees removed to provide a viewing platform over our property against the planning permission, we then go on to also question why Shallon at no point raised any objections to the removal of any of these trees on the site or added their name to the objectors online if they feel so passionately about tree protection? The work that was carried out against the adjoining boundaries on their property and the new build of Barnack House, breached their TPOs on their land as roots would have been disturbed and compacted. Why was this not raised?

TPO/01/1992 T6 WILD CHERRY

TPO/01/1992 T7 WILD CHERRY

TPO/01/1992 T8 WILD CHERRY



See as follows trees removed on the site next to shallon, yet no objection raised by them or complaints as it removed the shade from their conservatory?



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When we bought our land there was no TPOs on the land or boundary. Since buying the land we have removed no trees, have no intention of removing trees and our plans are to add many more. We feel the only reason why these TPOs have been requested is a deliberate effort to avertedly affect our planning, which it does not! This is not a reason to use council time and money for personal vendetta, like requesting TPOs be put on all the trees we own, or a fence being put up to obstruct the splay. We are members of the woodland trust and each month pay towards tree planting in the UK. We are all for protecting trees which are at risk or in danger, however these two trees are not at risk or in danger from us or anyone else, other than the owners themselves, who have already caused damage to these and the other protected trees on their property by allowing work over the roots and through the roots for laying of electric cables and building work as well as removal of all the trees on the site next door. This application is for personal reasons and not to do with protection of trees, if it was, then why tell the tree officer we plan to remove all the trees on our land so he would apply TPOs?

We would also request the Norway maple is looked at again by the tree officer as there is a serious degree of lean on the tree which is cause for concern with our young family, if the tree falls over it could crush not only our fence under it but any child under it. The tree is a fine tree, however although the life in it is more than 10 years the tree will fall over before then.

We would also raise the point that at any point in the last several years of the owners of Shallon could have applied for this protection but have not. Work on other sites does not affect the two trees or will work on our land. The roots from the Maple are on our property and the Maple is seriously overhanging our property, we would request that if TPOs are applied then we request the Maple is reduced in size and shape to form a more upright tree shape and lower the risk of the tree falling over in the next few years, many of the branches have been removed on the side of shallon which has caused the tree to be unbalanced with more weight one side, our side! . Protected trees should be at risk, these are not at risk now or in the future, therefore this is the reason for our objection.

Mr and Mrs Grainger

Ps : we have had to email this as we have no idea when this would arrive by post because of royal mail strikes and also if there is any one working at FDC to receive