

## PLANNING COMMITTEE

DATE	February 26 <sup>th</sup> 2025
REPORT OF	Executive Director Environmental Economy and Resources
SUBJECT	Confirmation of Tree Preservation Order (TPO)

### STATUS

**CONTRIBUTION TO THE COUNCIL PLAN / STRATEGIC AIMS:** Confirmation of this Order supports two of the Council's five outcomes set out in the 2024 – 2025 Council Plan. A commitment to a high-quality environment and the health and wellbeing of the population of North East Lincolnshire. Confirmation of this Order supports the Council's adopted Tree Policy; its aim to maintain and increase canopy cover over the Borough as well as the Council's Carbon Neutral Road Map; carbon sequestration and storage in large mature trees.

**EXECUTIVE SUMMARY:** This report relates to a provisional Tree Preservation Order (TPO) that has not yet been confirmed by the Committee. This report details representations received and recommendations that the Order is confirmed without modification.

**RECOMMENDATIONS:** Confirmation of the following TPO without modification:

North East Lincolnshire Council No. NEL 262, (land at 14 Church Lane, Humberston) Tree Preservation Order 2024

**REASONS FOR DECISION:** To preserve a tree that offers sufficiently high visual amenity and is a strong focal point within the Humberston Conservation Area. The tree contributes to the character and ambiance of this part of the Conservation Area.

**RISK ASSESSMENT:** Indiscriminate and uncontrolled felling or pruning of trees can have a significant impact on the character and amenity of an area. Tree Preservation Orders place a duty on owners to seek permission from the Council prior to carrying out such work. The duty remains irrespective of change of property ownership. Whilst they increase the Council's administrative burden, new orders ensure that the Local Planning Authority can exercise further continuing statutory control to protect and enhance the environment for the benefit of the public and wildlife.

## 1. BACKGROUND AND ISSUES

- 1.1 The above Order was imposed as a result of the S.211 Notice DM/0769/24/TCA being submitted to pollard the Horse Chestnut tree. The Order was issued on a provisional basis on the 14<sup>th</sup> November 2024. This report sets out the representations raised in response to the above Order. One letter of objection has been received.
- 1.2 On the 7<sup>th</sup> January 2025 permission was granted under DM/0979/24/TPO to allow the Chestnut tree to be pollarded. The pollard specification proposed by the applicant was amended when permission was granted. The works specification was amended in order that the tree maintained a meaningful level of visual amenity. The amendment was only possible because the tree was covered by a TPO.
- 1.3 In deciding whether to confirm the Order, the Committee must consider any letters of objections or representations received.
- 1.4 On the 7<sup>th</sup> December 2024 an email was received from Miss Michelle Martin being the land owner in this case.
- 1.5 The points made in the objection email are listed below in bold in paragraphs 1.5 to 1.6 with the comments of the Trees and Woodlands Officer shown in italics.
- 1.6 **There is also no need for the TPO as we have never carried out any work without prior consent and have always communicated with yourself on the work we require and why and followed your advice on the best way we can achieve this. So to then have a TPO placed feels very restrictive.**

*The tree officer does not dispute that the landowner has engaged with the tree officer in relation to pre-211 Notice conversations and that no unauthorised works have been carried out.*

*The tree officer has explained in full the 211 Notice procedure and, as a likely consequence of a 211 Notice to pollard, the TPO process in full, including the process for objecting to the TPO as well as appealing against a possible future Refusal Notice being issued. The tree officer has also detailed the differences between a 211 Notice and a TPO application.*

*The tree officer has explained to the landowner that should they look to place a TPO on the tree it would be due to the following considerations; a] enforcement action in relation to the quality of the works carried out cannot be undertaken under a 211 Notice b] a 211 Notice can not be refused, amended or have conditions attached, whereas all these are available to the Council under a TPO application.*

*Whilst the statutory time scale for considering a 211 Notice is 6 weeks and a TPO application is 8 weeks, the detail required for both is for all*

*intents and purposes the same. Whilst a TPO does allow the Council a greater degree of control over the nature and quality of works carried out, it does not make the application process excessively restrictive in comparison to a 211 Notice.*

- 1.7 You also state that the tree offers an existing sufficiently high visual amenity and is a strong focal point within the area and that the TPO is to protect the character of the surrounding conservation area and the amenity value the tree offers. I have to raise my points that if NEL Planning wanted to protect the character of Humberston Conservation area that they would not allow the derelict building of Rudkin builder (18 Church Lane, Humberston) to be sat there with no progress and looking an absolute disgrace including fly tipping, attracting a home for pigeons and rats, as not secure and rubbish constantly left there - this is far from protecting the visual amenity and character of the Humberston conservation area.**

*The tree officer recognises the landowner's frustrations in relation to the adjacent dwelling and its perceived detrimental impact on the Conservation Area. However, this is not considered to be a material consideration in this instance. The tree officer considers the prominent location of the Chestnut tree within the Conservation Area to be such that the Order should be confirmed.*

- 1.8** The landowner has submitted a TPO application for the Chestnut tree to be converted into a pollard and be managed as a pollard, under DM/0979/24/TPO. Permission was granted on 7<sup>th</sup> January 2025.
- 1.9** The tree officer recommends this Order is confirmed without modification.

## **2. OTHER OPTIONS CONSIDERED**

N/A

## **3. FINANCIAL IMPLICATIONS**

There are no significant financial implications arising from the recommendation.

## **4. LEGAL IMPLICATIONS**

The test for the Council when considering confirming a Tree Preservation Order is whether making the order is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area.

In the event the Order is made it can only be challenged by an application to the High Court.

**5. HUMAN RESOURCES IMPLICATIONS**

There are no direct HR implications arising from the contents of this report.

**6. WARD IMPLICATIONS:** Humberston

**7. BACKGROUND PAPERS**

- 1) Location plan and schedule of Tree Preservation Order
- 2) Visual Amenity Assessment
- 3) Email objection from owner of 14 Church Lane, Humberston
- 4) Email response from Tree Officer to formal objection email

**8. CONTACT OFFICER(S)**

Paul Chaplin (Tree Officer) 324273

**14<sup>th</sup> November 2024**

**NORTH EAST LINCOLNSHIRE BOROUGH COUNCIL**

**TOWN AND COUNTRY PLANNING ACT 1990**

**TREE PRESERVATION ORDER  
RELATING TO A TREE AT  
Land at 14, Church Lane, Humberston**

**Sharon Wroot  
Executive Director Environment  
Economy and Resources (s151)**

**Form of Tree Preservation Order**  
**Town and Country Planning Act 1990**  
**The North East Lincolnshire Borough Council No.NEL262 (Land at 14, Church Lane, Humberston) Tree Preservation Order 2024**

The **North East Lincolnshire Borough Council**, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

**Citation**

1. This Order may be cited as North East Lincolnshire Borough Council No.NEL262 (Land at 14, Church Lane, Humberston) Tree Preservation Order 2024.

**Interpretation**

2.— (1) In this Order “the authority” means the North East Lincolnshire Borough Council.  
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.  
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—  
(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or  
(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,  
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 14<sup>th</sup> day of November

Signed on behalf of the North East Lincolnshire Council



.....  
Assistant Director Regeneration / Damien Jaines-White

Authorised by the Council to sign in that behalf

## CONFIRMATION OF ORDER

This Order was confirmed by North East Lincolnshire Borough Council without modification on the .....day of .....

OR

[This Order was confirmed by the [North East Lincolnshire Borough Council], subject to the modifications indicated by [state how indicated], on the [ ] day of [insert month and year]]

Signed on behalf of the North East Lincolnshire Council

.....  
Nominated Officer

Authorised by the Council to sign in that behalf

## [DECISION NOT TO CONFIRM ORDER

[A decision not to confirm this Order was taken by [North East Lincolnshire Borough Council] on the [ ] day of [insert month and year]]

Signed on behalf of the North East Lincolnshire Council

.....  
Nominated Officer

Authorised by the Council to sign in that behalf

## [VARIATION OF ORDER

[This Order was varied by the [insert name of Council] on the [ ] day of [insert month and year] by a variation order under reference number [insert reference number to the variation order] a copy of which is attached]

Signed on behalf of the North East Lincolnshire Council

.....  
Nominated Officer

Authorised by the Council to sign in that behalf

## [REVOCATION OF ORDER

[This Order was revoked by the [insert name of Council] on the [ ] day of [insert month and year]]

Signed on behalf of the North East Lincolnshire Council

.....  
Nominated Officer

Authorised by the Council to sign in that behalf

## SCHEDULE

### SPECIFICATION OF TREES

#### Trees Specified Individually (encircled in black on the map)

Reference on Map	Description	Situation
T1	Horse Chestnut	Sea Location Plan

#### Groups of Trees (within a broken black line on the map)

Reference on Map	Description	Situation
NONE		

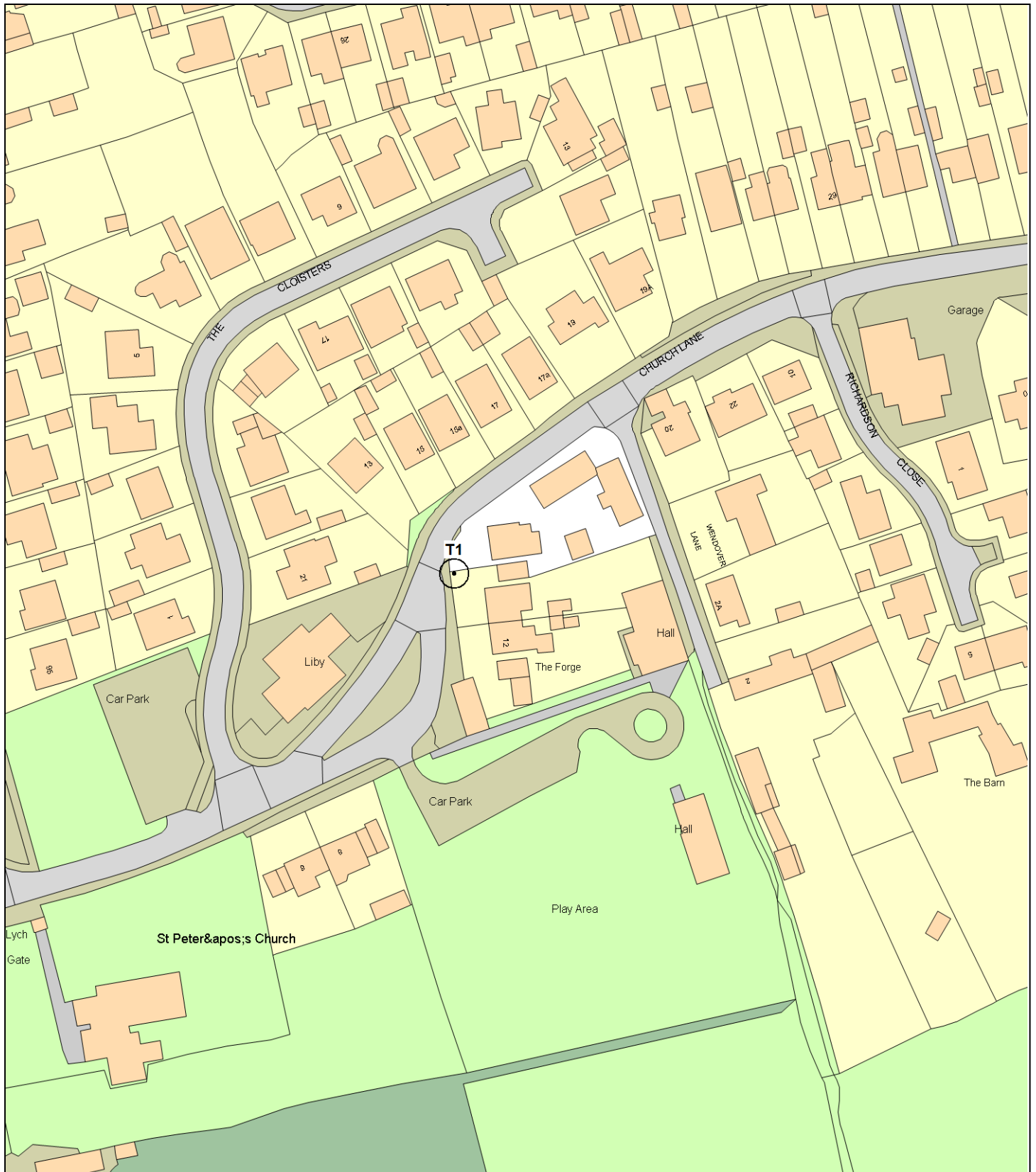
#### Woodlands (within a continuous black line on the map)

Reference on Map	Description	Situation
NONE		

#### Trees specified by reference to an area (within a dotted black line on the map)

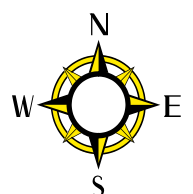
Reference on Map	Description	Situation
NONE		





**Tree Preservation Order No NEL262**

**Land at 14, Church Lane, Humberston**



## Helliwell Visual Amenity Assessment

### T1 – Chestnut tree – Section 211 Notice DM/0769/24/TCA

#### 1. Size:

Canopy Height = 6m / Average Crown Diameter = 10m

Calculated Area = 60m<sup>2</sup>

Score = 6

#### 2. Duration of Visual Amenity:

Biological Life Expectancy = 200 years

Reduced Life Expectancy = >150 years.

Current Age = 80yrs

Score = 3

#### 3. Importance of Position:

Close to Highway and Public Footpath = Some Importance

Score = 3: due to being a prominent tree in this part of the Humberston C/A and its location on front boundary

#### 4. Presence of Other Trees:

Less than 10% of Visual Area (being Church Lane) = few

Score = 3

#### 5. Relation to Setting:

Very Suitable: in regards relationship to dwelling.

Score = 2

#### 6. Form: Average

score 1

**Total Score = 6 x 3 x 3 x 3 x 2 x 1 = 324**

Total Value Monetary Terms = £16,313.40p

#### Scoring Threshold

Engie's current scoring threshold is set at "3". Trees that score below this threshold are lacking the values necessary to determine high amenity value. Trees that score 3 or above are considered to have high amenity value.

This scoring matrix is a guideline for assessing the amenity value of trees.

Scoring Matrix	
Helliwell System Score	Engie Score
0-50	1
50-100	2
100-150	3
150-200	4
200-250	5
250-300	6
300-350	7
350-400	8
400-450	9
450-500	10



Outlook

---

**FW: Planning Acknowledgement-DM/0979/24/TPO**

---

**From** Planning - IGE (Equans) <planning@nelincs.gov.uk>

**Date** Mon 12/9/2024 11:57 AM

**To** Paul Chaplin (EQUANS) <Paul.Chaplin@nelincs.gov.uk>

Hi Paul,

Is this latest email to be added as a comment to DM/0979/24/TPO?

Thanks

Susanne

Susanne Ellis

Business Support Assistant

Planning

Places & Communities – NEL

[Susanne.Ellis1@nelincs.gov.uk](mailto:Susanne.Ellis1@nelincs.gov.uk)

Tel: +44 (0)1472 324345



Working in partnership

[equans.co.uk](http://equans.co.uk)

Municipal Offices, Town Hall Square,  
Grimsby, North East Lincolnshire, DN31 1HU

---

**From:** Michelle Martin

**Sent:** 07 December 2024 20:18

**To:** Paul Chaplin (EQUANS) <Paul.Chaplin@nelincs.gov.uk>  
**Cc:** Planning - IGE (Equans) <planning@nelincs.gov.uk>  
**Subject:** Re: Planning Acknowledgement-DM/0979/24/TPO

Hi Paul

Ref: NEL262 14 Church Lane, Humberston

I would like to object the TPO placed on the chestnut tree at the above address.

You state that the reasons for this is that it gives you more control of the work undertaken to the tree, however I feel that the council do have control as we are unable to carry out any work without the consent of the council due to being in a conservation area. There is also no need for the TPO as we have never carried out any work without prior consent and have always communicated with yourself on the work we require and why and followed your advice on the best way we can achieve this. So to then have a TPO placed feels very restrictive, unnecessary and unfair.

You also state that the tree offers an existing sufficiently high visual amenity and is a strong focal point within the area and that the TPO is to protect the character of the surrounding conservation area and the amenity value the tree offers. I have to raise my points that if NEL Planning wanted to protect the character of of Humberston Conservation area that they would not allow the derelict building of Rudkin builder (18 Church Lane, Humberston) to be sat there with no progress and looking an absolute disgrace including fly tipping, attracting a home for pigeons and rats, as not secure and rubbish constantly left there - this is far from protecting the visual amenity and character of the Humberston conservation area.

So please explain how when we have applied through the correct channels, engaged in discussion with you why you feel a TPO for more control to protect the area is needed - when you do not want to protect the area in other ways.

I look forward to your response to my objection of the TPO and would welcome an invite to the planning committee to put my points forward in person.

Thanks  
Michelle

Sent from my iPhone

On 1 Dec 2024, at 19:08, Michelle Martin

> wrote:

Thanks Paul.

I have sent some more pics, sorry about the spam but it wouldn't allow me to attach to one email.

Sent from my iPhone

On 27 Nov 2024, at 09:24, Paul Chaplin (EQUANS) <[Paul.Chaplin@nelincs.gov.uk](mailto:Paul.Chaplin@nelincs.gov.uk)> wrote:

Hi Michelle,

Unfortunately at 4pm this is going to be very little day light, which I need for a couple of photos I require. Given we have spoken in some detail on this issue there is no requirement for you to be there.

If you have any further photos you wish to submit as an evidence base, please do so, the application process allows you to do this.

Regards

**Paul A Chaplin**

Trees and Woodland Officer

Development Management Services

Places & Communities – NEL

[paul.chaplin@nelincs.gov.uk](mailto:paul.chaplin@nelincs.gov.uk)

Tel. +44 (0) 1472 324273

Mob. +44 (0) 7919290610



[equans.co.uk](http://equans.co.uk)

New Oxford House, George Street

Grimsby, North East Lincolnshire, DN31 1HB

---

**From:** Michelle Martin  
**Sent:** 25 November 2024 12:55  
**To:** Paul Chaplin (EQUANS) <[Paul.Chaplin@nelincs.gov.uk](mailto:Paul.Chaplin@nelincs.gov.uk)>  
**Subject:** Re: Planning Acknowledgement-DM/0979/24/TPO

Thank you. Yes sorry I mean to object to the order. What is the deadline date? As it didn't state in your letter to me.

Unfortunately I work 8-4 on Wednesday. Can you come after 4.00 at all please?

Thank you  
Sent from my iPhone

On 25 Nov 2024, at 10:30, Paul Chaplin (EQUANS) <[Paul.Chaplin@nelincs.gov.uk](mailto:Paul.Chaplin@nelincs.gov.uk)> wrote:

Hi Michelle,

it will be me that makes any further visit. Looking at my diary it will very likely be Wednesday 04/12/2024, I have a pre-application site meeting at Humberston Avenue at 10am, so I could make a visit either before or just after 10am.

With regards the formal Order, you would not be looking to appeal the Order, you would appeal a refusal notice to your application to Pollard the tree. Details of how and where to lodge an appeal are given on the Decision Notice.

Your option at this stage is to 'Object' to the Order being made, this would then require the Order to be confirmed by the Planning committee. To lodge an objection to the TPO being made you simply need to send me a letter or email which I will place on file. Should you wish to submit an objection to the Order, set out in detail your reasons for objecting to the Order. Simply bullet point your reasons, with a brief explanation to each.

Regards

**Paul A Chaplin**  
Trees and Woodland Officer

Development Manageemnt Services  
Places & Communities – NEL  
[paul.chaplin@nelincs.gov.uk](mailto:paul.chaplin@nelincs.gov.uk)  
Tel. +44 (0) 1472 324273  
Mob. +44 (0) 7919290610

<image001.jpg>

[equans.co.uk](http://equans.co.uk)

New Oxford House, George Street  
Grimsby, North East Lincolnshire, DN31 1HB

---

**From:** Michelle Martin ·  
**Sent:** 24 November 2024 21:01  
**To:** Paul Chaplin (EQUANS) <[Paul.Chaplin@nelincs.gov.uk](mailto:Paul.Chaplin@nelincs.gov.uk)>  
**Subject:** Fwd: Planning Acknowledgement-DM/0979/24/TPO

Hi Paul

Thanks for this. When will a member of the Arboriculturalist team be coming to visit? Is this someone different to you? Also, are we likely to have a decision before the 13th January please?

With regards to the TPO appeal what is the deadline for the appeal? It didn't state in your letter to us. Can I appeal in writing by email or does it need to be in writing and posted?

Thanks  
Sent from my iPhone

Begin forwarded message:

**From:** [planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)

**Date:** 21 November 2024 at 10:13:42 GMT

**To:** [michellemartin](#)

**Subject: Planning Acknowledgement-DM/0979/24/TPO**

Planning acknowledgement '96 Please see attached

-----  
Reduce your environmental footprint, please do not print this email unless you really need to.

North East Lincolnshire Council - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.

-----  
Reduce your environmental footprint, please do not print this email unless you really need to.

**North East Lincolnshire Council** - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire



Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.

---

Reduce your environmental footprint, please do not print this email unless you really need to.

**North East Lincolnshire Council** - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.



---

Working in partnership



Outlook

---

## Formal objection to NEL262 14 Church Lane, Humberston

---

**From** Paul Chaplin (EQUANS) <Paul.Chaplin@nelincs.gov.uk>

**Date** Wed 12/11/2024 4:27 PM

**To** michellemartir.2

**Cc** Martin Dixon (EQUANS) <Martin.Dixon@nelincs.gov.uk>; Andrew Hudson (EQUANS) <Andrew.Hudson@nelincs.gov.uk>

Good afternoon Miss Martin,

I can confirm that I have received your formal objection to the TPO NEL262 being placed on the Chestnut tree to the front of your property. It is my intension to take the Order to Planning Committee in late January or February, for it to be confirmed. You will be informed of the date of the Planning committee, I note your wish to speak to the committee and will let you know in due course how to lodge your request to speak at the Planning Committee.

With regard to an explanation for why a TPO has been placed of the tree , I will again repeat the reasons I have previously given as to why a TPO has been placed on the tree rather than allowing the works under a 211 Notice ( trees within a Conservation Area). The use of a 211 Notice is simply that, a notice. The Council are not able to; refuse a 211 Notice or place conditions on it, nor can the works specification be amended. Neither are the Council able to take action in relation to the quality of the works carried out.

Placing a TPO on the Chestnut tree therefore enables the Council greater control. Thereby, being able to refuse the application, place conditions on any works granted permission, in this instance works being carried out in accordance with BS3998. The protection of a TPO allows the Council to take enforcement action in relation to the standard of works carried out if not carried out in accordance with BS3998. The TPO enables the Council to slightly amend the work specification and or the wording of the works granted permission.

I hope this clarifies the reason why a TPO has been placed on the Chestnut tree.

Regards

**Paul A Chaplin**

Trees and Woodland Officer

Development Manageemnt Services

Places & Communities – NEL

[paul.chaplin@nelincs.gov.uk](mailto:paul.chaplin@nelincs.gov.uk)

Tel. +44 (0) 1472 324273

Mob. +44 (0) 7919290610



Working in partnership

[equans.co.uk](http://equans.co.uk)

New Oxford House, George Street

Grimsby, North East Lincolnshire, DN31 1HB

---

**From:** Planning - IGE (Equans) <[planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)>

**Sent:** 09 December 2024 11:57

**To:** Paul Chaplin (EQUANS) <[Paul.Chaplin@nelincs.gov.uk](mailto:Paul.Chaplin@nelincs.gov.uk)>

**Subject:** FW: Planning Acknowledgement-DM/0979/24/TPO

Hi Paul,

Is this latest email to be added as a comment to DM/0979/24/TPO?

Thanks

Susanne

Susanne Ellis

Business Support Assistant

Planning

Places & Communities – NEL

[Susanne.Ellis1@nelincs.gov.uk](mailto:Susanne.Ellis1@nelincs.gov.uk)

Tel: +44 (0)1472 324345

Working in partnership

[equans.co.uk](http://equans.co.uk)

Municipal Offices, Town Hall Square,  
Grimsby, North East Lincolnshire, DN31 1HU

---

**From:** Michelle Martin

**Sent:** 07 December 2024 20:18

**To:** Paul Chaplin (EQUANS) <[Paul.Chaplin@nelincs.gov.uk](mailto:Paul.Chaplin@nelincs.gov.uk)>

**Cc:** Planning - IGE (Equans) <[planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)>

**Subject:** Re: Planning Acknowledgement-DM/0979/24/TPO

Hi Paul

Ref: NEL262 14 Church Lane, Humberston

I would like to object the TPO placed on the chestnut tree at the above address.

You state that the reasons for this is that it gives you more control of the work undertaken to the tree, however I feel that the council do have control as we are unable to carry out any work without the consent of the council due to being in a conservation area. There is also no need for the TPO as we have never carried out any work without prior consent and have always communicated with yourself on the work we require and why and followed your advice on the best way we can achieve this. So to then have a TPO placed feels very restrictive, unnecessary and unfair.

You also state that the tree offers an existing sufficiently high visual amenity and is a strong focal point within the area and that the TPO is to protect the character of the surrounding conservation area and the amenity value the tree offers. I have to raise my points that if NEL Planning wanted to protect the character of of Humberston Conservation area that they would not allow the derelict building of Rudkin builder (18 Church Lane, Humberston) to be sat there with no progress and looking an absolute disgrace including fly tipping, attracting a home for pigeons and rats, as not secure and rubbish constantly left there - this is far from protecting the visual amenity and character of the Humberston conservation area.

So please explain how when we have applied through the correct channels, engaged in discussion with you why you feel a TPO for more control to protect the area is needed - when you do not want to protect the area in other ways.

I look forward to your response to my objection of the TPO and would welcome an invite to the planning committee to put my points forward in person.

Thanks  
Michelle

Sent from my iPhone

On 1 Dec 2024, at 19:08, Michelle Martin

wrote:

Thanks Paul.

I have sent some more pics, sorry about the spam but it wouldn't allow me to attach to one email.

Sent from my iPhone

On 27 Nov 2024, at 09:24, Paul Chaplin (EQUANS) <[Paul.Chaplin@nelincs.gov.uk](mailto:Paul.Chaplin@nelincs.gov.uk)> wrote:

Hi Michelle,

Unfortunately at 4pm this is going to be very little day light, which I need for a couple of photos I require. Given we have spoken in some detail on this issue there is no requirement for you to be there.

If you have any further photos you wish to submit as an evidence base, please do so, the application process allows you to do this.

Regards

**Paul A Chaplin**

Trees and Woodland Officer

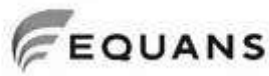
Development Management Services

Places & Communities – NEL

[paul.chaplin@nelincs.gov.uk](mailto:paul.chaplin@nelincs.gov.uk)

Tel. +44 (0) 1472 324273

Mob. +44 (0) 7919290610



Working in partnership

[equans.co.uk](http://equans.co.uk)

New Oxford House, George Street  
Grimsby, North East Lincolnshire, DN31 1HB

---

**From:** Michelle Martin ◂  
**Sent:** 25 November 2024 12:55  
**To:** Paul Chaplin (EQUANS) <[Paul.Chaplin@nelincs.gov.uk](mailto:Paul.Chaplin@nelincs.gov.uk)>  
**Subject:** Re: Planning Acknowledgement-DM/0979/24/TPO

Thank you. Yes sorry I mean to object to the order. What is the deadline date? As it didn't state in your letter to me.

Unfortunately I work 8-4 on Wednesday. Can you come after 4.00 at all please?

Thank you  
Sent from my iPhone

On 25 Nov 2024, at 10:30, Paul Chaplin (EQUANS) <[Paul.Chaplin@nelincs.gov.uk](mailto:Paul.Chaplin@nelincs.gov.uk)> wrote:

Hi Michelle,

it will be me that makes any further visit. Looking at my diary it will very likely be Wednesday 04/12/2024, I have a pre-application site meeting at Humberston Avenue at 10am, so I could make a visit either before or just after 10am.

With regards the formal Order, you would not be looking to appeal the Order, you would appeal a refusal notice to your application to Pollard the tree. Details of how and where to lodge an appeal are given on

the Decision Notice.

Your option at this stage is to 'Object' to the Order being made, this would then require the Order to be confirmed by the Planning committee. To lodge an objection to the TPO being made you simply need to send me a letter or email which I will place on file. Should you wish to submit an objection to the Order, set out in detail your reasons for objecting to the Order. Simply bullet point your reasons, with a brief explanation to each.

Regards

**Paul A Chaplin**

Trees and Woodland Officer

Development Management Services

Places & Communities – NEL

[paul.chaplin@nelincs.gov.uk](mailto:paul.chaplin@nelincs.gov.uk)

Tel. +44 (0) 1472 324273

Mob. +44 (0) 7919290610

<image001.jpg>

**equans.co.uk**

New Oxford House, George Street

Grimsby, North East Lincolnshire, DN31 1HB

---

**From:** Michelle Martin

**Sent:** 24 November 2024 21:01

**To:** Paul Chaplin (EQUANS) <[Paul.Chaplin@nelincs.gov.uk](mailto:Paul.Chaplin@nelincs.gov.uk)>

**Subject:** Fwd: Planning Acknowledgement-DM/0979/24/TPO

Hi Paul

Thanks for this. When will a member of the Arboriculturalist team be coming to visit? Is this someone different to you? Also, are we likely to have a decision before the 13th January please?

With regards to the TPO appeal what is the deadline for the appeal? It didn't state in your letter to us. Can I appeal in writing by email or does it need to be in writing and posted?

Thanks  
Sent from my iPhone

Begin forwarded message:

**From:** [planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)  
**Date:** 21 November 2024 at 10:13:42 GMT  
**To:** [michellemartin](#)  
**Subject:** Planning Acknowledgement-DM/0979/24/TPO

Planning acknowledgement '96 Please see attached

---

Reduce your environmental footprint, please do not print this email unless you really need to.

North East Lincolnshire Council - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.

---

Reduce your environmental footprint, please do not print this email unless you really need to.



**North East Lincolnshire Council** - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.

-----  
Reduce your environmental footprint, please do not print this email unless you really need to.

**North East Lincolnshire Council** - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.



Working in partnership