

APPENDIX (2)

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The Tree Team
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Dear Gavin

30th September 2021

Objection to the Tree Preservation Order

I would like to object to Bromsgrove District Council introducing a Tree Preservation Order on the three trees in my back garden (T1, T2 and T3) you have highlighted in the documents you sent to me on the following grounds:

1. Process.

The Council has not followed a fair and reasonable process to determine these trees should be protected.

When you came to see the trees, your initial comments were that the trees were not currently protected but you would be recommending that they should be. Although, you were not able to complete your Tree Evaluation Method for Preservation Orders (TEMPO) until after you had inspected the trees your initial comments clearly demonstrate that you had made up your mind before seeing the trees that they should be protected rather than coming to that conclusion only after completing a TEMPO that generated a score that led you to conclude the trees should be protected.

2. Amenity.

The Council has totally misjudged the amenity value of the trees in my garden as they are hidden from public view.

You state that the Council's reasons for making the Order are – The trees provide special amenity value and the TPO is made in the interests of amenity. How can there possibly be any amenity if no one can see the trees, other than the very tips, and would not notice them gone if they were felled as they are totally camouflaged by the hundreds of trees immediately behind them in the Lickey Hills?

'Amenity' is not defined in law, so best practice encourages authorities to exercise clear and sensible judgment when deciding whether it is reasonable to make an Order.

Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. But as the trees in my garden are totally hidden by my house on one side and the trees in the Lickey Hills on the other there is no impact on the local environment and the public cannot see them as we are located at the back of a gated development that the public have no access to. I cannot see, therefore, how the Council is able to show that protection would bring any degree of public benefit in the present or future.

3. Health & Safety.

The Council has ignored the significant risk of the health and safety of my family in our own garden, despite me bringing this to your attention in the first place.

The trees are regularly shedding wind-damaged and dead branches which are usually large enough to cause anyone in the garden significant harm or possibly kill them if they were to fall when someone is in the garden. I understand this can be managed to some extent by regular dead-wooding but there will always be significant risks between each exercise. The only way this risk can be eliminated is to cut the trees down.

4. Potentially damaging to my house.

The Council has not taken into account the significant damage the roots from T1 and T2 could do to my home.

T1 is just 4.7m and T2 is only 3.8m, respectively, from my house. I believe the safe distance for a pine tree from a house is generally 8m. I am amazed planning permission was given so close to these trees.

5. Benefits to my other trees in the garden.

The Council are ignoring the wellbeing of the other trees I have in the garden which are further away from the house.

If T1 and T2 were cut down these other trees comprising oaks and silver birches would benefit from access to more sunlight and more water.

Thank you for this opportunity to appeal the TPO.

I sincerely hope you give this appeal full consideration.

Kind regards



Peter Bridge