

Appendix 7

Telephone: 07920160206

E-Mail: stephen.chesney-beales@peterborough.gov.uk

Please ask for: Stephen Chesney-Beales

Our Ref: TPO: 23/00003/TPO

PETERBOROUGH



S Raucci
Fulbridge Road
Peterborough
PE1 3LG

Please reply to:
**Natural & Historic
Environment Team
Planning Services
Place & Economy
Peterborough City Council
Sand Martin House
Fletton Quays
Peterborough
PE2 8TY**

19th April 2023

Dear Sarah Raucci

Re - Objection to Tree Preservation Order 23/00003/TPO 99 & 101 Fulbridge Road, Peterborough

Further to your letter of objection to the making of the above tree preservation order (TPO), the contents of which has been noted, please note the following points in response.

Please note the making of the TPO and the protection of the trees was not a reason for refusal with regard to the planning application at 5 Sheridan Road, Please note the making of the TPO and the protection of the trees was not the reason for refusal, but as a consequence of the impacts or threat the Council considered the proposed development may have on the trees *'future health and wellbeing, from pressures to carry out inappropriate and unnecessary pruning or felling, because of the anxiety and apprehension of future occupiers of the proposed dwelling with regard to the close proximity of the very tall Lombardy Poplars'*.

The amenity value of the trees protected by the TPO were assessed on 13th March 2023, with the information available to the Council at the time and from my site visit to your property, prior to the making of the TPO. I consider the trees have significant public amenity value both to the immediate and the surrounding areas. The trees can be seen from the A47 at this time of year.

I note the details of the survey conducted with regards to the views of you and your neighbours. I can confirm, I believe the TPO is justified, the trees have significant public amenity value, as stated above, and are considered acceptable and suitable in their rear garden settings, in a residential area. I consider the trees to be safe, despite the dead branches within the crowns and being very tall.

I do not agree or accept that Lombardy Poplar have a life span of between 30-50 years. I do not consider the trees to be fully mature or over mature.

The trees subject of the TPO remain the responsibility of the landowner, as does any obligation under the Occupiers Liability Act 1984. The only difference now is a landowner must seek permission from the Council before carrying out any works, apart from special *exemptions. There is no cost in making an application to carry out works to protected trees.

Please note, all Government advice on TPO's can be found at: <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

In the above guidance it states - It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.

Also, please note the details within the guide, sent with the copy of the TPO - Protected trees - A guide to tree preservation procedures, for *exemptions and further details.

I believe, I have addressed the issues with reference to your objections to the making of the TPO and consider the TPO has been made and served correctly regarding the current legislation. I do not accept that the TPO was made 'under imprecise and fallacious meaning'.

If you feel there are any points, I have missed with regards to your objection to the making of the TPO, please do not hesitate to contact me.

Yours sincerely

Stephen Chesney-Beales
Tree Officer