

Re: Case ref 23/00009/TPO Officer Mr S Chesney-Beales

Stephen Chesney-Beales <Stephen.Chesney-Beales@peterborough.gov.uk>

Thu 21/12/2023 15:03

To: calasraid@hotmail.co.uk <calasraid@hotmail.co.uk>

Cc: Plng Control Enquiries <planningcontrol@peterborough.gov.uk>

Dear Dr Baugh

Please accept my apologies in sending a copy e-mail yesterday to you, in error, addressed to Mr Bailey.

Further to your letter of objection received yesterday, dated 19th December 2023, please accept and note the following points below in red, in reply and response to each of the points raised.

1. The Box Elder is a very large, overgrown tree and leaning badly towards the road and appears to be a dangerous risk in terms the potential to fall onto the road and significantly damage the opposite property.

The Box Elder is not considered to be 'very large, overgrown and leaning badly'. When assessed the tree was not considered to be in an unsafe or dangerous condition. There was no evidence, giving rise to any concerns that the tree or significant branches may fail or fall onto the road or adjacent properties. The owner of the tree has a 'Duty of Care' under the Occupiers Liability Act to ensure the tree is in a safe condition.

2. The tree is impinging on various telephone wires that cross the road and is in danger of bringing these down.

The branches of the tree interfering with the telephone wires can be pruned, sympathetically to reduce the contact with the wires in question, by way of making a TPO Tree Work Notice/Application accordingly.

3. The tree in question is non-native and therefore not a priority for preservation.

Any tree species can be protected by a tree preservation order (TPO), being a native species has no major significance, as the trees amenity value is the major consideration.

4. In a conservation area the owner of such trees would in any case need formal permission to fell or prune such a tree and hence we see no need for a formal TPO to be made in this case.

A tree owner in a conservation area does not 'need formal permission to fell or prune such a tree', but is obligated by the Town & Country Planning Act to give Peterborough City Council (PCC) six weeks notice in writing before carrying out such works. This was done in respect of the Box Elder and because the felling was objected to by PCC and supported by Ailsworth Parish Council the TPO was made.

5. We fully support the conservation area and would wish to preserve as many native deciduous trees as possible in both the village as a whole and Maffit Road, which has a lovely rural appearance, which is due to the presence of trees.

PCC would agree with your sentiment, subject to **all trees** that offer public visual amenity value to the immediate and wider area; and contribute to the character and appearance of the Ailsworth

Conservation Area, being preserved.

6. However, this tree has become so large and leaning that it appears to be a potential danger to residents and users of Maffit Road and we are concerned about this danger. Hence we feel it would benefit from tree management/pruning which would not require a formal TPO being imposed.

Your comment above is noted, however, the tree in question is considered to be safe and in a healthy condition, as stated above. The tree can be sympathetically pruned, subject to good arboricultural practices, by way of a TPO Tree Work Application, to address in part the issue of its future 'management/pruning'.

With the above responses in mind, I respectfully request that you consider withdrawing your objection.

This matter will be taken to the Council's Planning & Environmental Protection Committee for consideration in light of the objections received and prior to the TPO being considered by the Committee for confirmation. You will be contacted again, before the matter is taken to Committee and you will be given an opportunity to present your objections to the Committee.

If you wish to discuss any of the above further, please do not hesitate to contact me

Kind regards

Stephen Chesney-Beales
Tree Officer

Planning Services,
Place & Economy,
Sand Martin House,
Bittern Way,
Fletton Quays
Peterborough.
PE2 8TY

From: Stephen Chesney-Beales <Stephen.Chesney-Beales@peterborough.gov.uk>

Sent: 20 December 2023 14:17

To: calasraid@hotmail.co.uk <calasraid@hotmail.co.uk>

Cc: Plng Control Enquiries <planningcontrol@peterborough.gov.uk>

Subject: Re: Case ref 23/00009/TPO Officer Mr S Chesney-Beales

Dear Mr Bailey

Thank you for your letter of objection with regard to the making of the above tree preservation order (TPO), I will respond in due course. However, if you wish to discuss the matter further, please do not hesitate to contact me.

Regards

Stephen Chesney-Beales
Tree Officer

Planning Services,

From: Ian Baugh <calasraid@hotmail.co.uk>

Sent: 19 December 2023 10:11

To: PING Control Enquiries <planningcontrol@peterborough.gov.uk>

Subject: Case ref 23/00009/TPO Officer Mr S Chesney-Beales

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Dear Mr Chesney-Beales

With reference to the above TPO notice we are the neighbours at number 5 Maffit Road and we would like to object to the proposal to impose a TPO on the Box Elder tree at number 7a for a number of reasons:

1. The Box Elder is a very large, overgrown tree and leaning badly towards the road and appears to be a dangerous risk in terms the potential to fall onto the road and significantly damage the opposite property.
2. The tree is impinging on various telephone wires that cross the road and is in danger of bringing these down.

<https://outlook.office.com/mail/inbox/id/AAQkADFJMTQ1NjA3LWE0MTgtNDU2Ni1hY2FILWQ1ZWl4ODhkNTAxNAAQAFd3tklUgMxIkha1tPNKGG...> 1/2

20/12/2023, 14:13

Email - Stephen Chesney-Beales - Outlook

3. The tree in question is non-native and therefore not a priority for preservation.
4. In a conservation area the owner of such trees would in any case need formal permission to fell or prune such a tree and hence we see no need for a formal TPO to be made in this case.
5. We fully support the conservation area and would wish to preserve as many native deciduous trees as possible in both the village as a whole and Maffit Road, which has a lovely rural appearance, which is due to the presence of trees.
6. However, this tree has become so large and leaning that it appears to be a potential danger to residents and users of Maffit Road and we are concerned about this danger. Hence we feel it would benefit from tree management/pruning which would not require a formal TPO being imposed.

Thank you for your consideration of this matter

Yours Sincerely

Dr Ian Baugh

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