

APPEALS PANEL: 23 NOVEMBER 2004

OBJECTION TO THE MAKING OF TREE PRESERVATION ORDER 19/04

LAND OF BURGATE COURT, SALISBURY ROAD, BURGATE, FORDINGBRIDGE

1.0 INTRODUCTION

1.1 This meeting of an Appeals Panel has been convened to hear an objection to the making of a Tree Preservation Order.

2.0 BACKGROUND

- 2.1 Tree Preservation Orders (TPOs, or Orders) are made under Sections 198, 199 and 201 of the Town and Country Planning Act 1990 (the Act). This legislation is supported by guidance issued by the Office of the Deputy Prime Minister on 17 April 2000 called "Tree Preservation Orders A Guide to the Law and Good Practice". This is commonly referred to as the "Blue Book".
- 2.2 This Council follows a procedure that ensures that as soon as an Order is made it gives immediate protection to the specified tree or trees. The owners and occupiers of the land on which the tree or trees are situated, together with all the owners and occupiers of the neighbouring properties, are served with a copy of the Order. Other parties told about the Order include the Town or Parish Council and District Council ward members. The Council may also choose to publicise the Order more widely.
- 2.3 The Order includes a schedule specifying the protected trees, and must also specify the reasons for protecting the trees. Normally this is on the grounds of their amenity value.
- 2.4 The procedures allow that any person who wishes may make representations to the Council, in writing, within 28 days of the Order being made. The Council must have a procedure for considering those representations.
- 2.5 Where an objection is made to the Order, in the first instance, the Tree Officers will negotiate with the objector to see if it can be resolved. If it cannot, then the objection is referred to a meeting of the Appeals Panel for determination.
- 2.6 The Order, when first made, has a life of 6 months. Within that period of 6 months, the Council must decide whether or not to confirm the Order, with or without amendment. The Order ceases to exist if it is not confirmed.

3.0 CRITERIA FOR MAKING A TREE PRESERVATION ORDER.

3.1 A local planning authority may make an Order if it appears to them to be:

"expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area".

4.0 TYPES OF TREE PRESERVATION ORDER

- 4.1 The TPO may specify one or more individual trees, groups of trees, woodlands or, more rarely, refer to an area of land.
- 4.2 As a general rule, an individually specified tree must meet the criteria for protection in its own right.
- 4.3 A group of trees must have amenity value as a group, without each individual tree necessarily being of outstanding value. The value of the group as a whole may be greater than that of the individual trees.
- 4.4 A woodland order would be imposed over a more significant area of trees, where it is not practical, or indeed perhaps even desirable, to survey or specify individual trees or groups of trees. While each tree is protected, not every tree has to have high amenity value in its own right. It is the general character of the woodland that is important. In general terms a woodland will be a significant area of trees, that will not be interspersed with buildings.
- 4.5 An area designation covers all the trees, of whatever species, within a designated area of land, and these may well be interspersed among a number of domestic curtilages and around buildings. An area order may well be introduced, as a holding measure, until a proper survey can be done. It is normally considered good practice to review area orders and replace them with one or more orders that specify individuals or groups of trees. This process has been underway in this District, with the review of a number of older area orders that were imposed some years ago in response to proposed significant development. An area order is a legitimate tool for the protection of trees. It is not grounds for an objection that the order is an area order.

5.0 THE ROLE OF THE PANEL

- While objectors may object on any grounds, the decision about whether the Order should be confirmed may only take into account strictly limited criteria.
- 5.2 The only issues before members of the Panel, in considering whether or not to confirm the Order, are the amenity value of the tree or trees, and the expediency of making the Order.

5.3 Amenity value

This term is not defined in the Act, but there is guidance in the Blue Book. The guidance says:

- TPOs should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public.
- There must be a reasonable degree of public benefit. The trees, or part
 of them, should therefore normally be visible from a public place, such as
 a road or a footpath. Other trees may however also be included, if there
 is justification.
- The benefit may be present or future.
- The value of the tree or trees may be from their intrinsic beauty; for their contribution to the landscape; or the role they play in hiding an eyesore or future development.
- The value of trees may be enhanced if they are scarce.
- Other factors, such as their importance as a wildlife habitat, may be taken into account, but would not, alone, be sufficient to justify a TPO.

It is not appropriate to protect a tree that is dead, dying or dangerous. As a general rule, officers will only consider protecting a tree where they are satisfied that it has a safe life expectancy in excess of 10 years.

5.4 Expediency

Again, this is not defined in the Act, but some guidance is given in the Blue Book. In essence, the guidance says:

- It is not expedient to make a TPO in respect of trees which are under good arboricultural or silvicultural management.
- It may be expedient to make a TPO if the local authority believes there is a risk of the trees being cut down or pruned in ways which would have a significant impact on the amenity of the area. It is not necessary for the risk to be immediate. It may be a general risk from development pressures.
- A precautionary TPO may also be considered appropriate to protect selected trees in advance, as it is not always possible to know about changes in property ownership and intentions to fell.

5.5 Issues that may not be taken into account.

The question of whether or not the protected tree may influence the outcome of a planning application is not relevant to your decision. If a TPO is in place on an application site, it is a material consideration in determining the application. That is however an issue that may be addressed solely through the development control process.

The principle of whether or not the landowner wishes a TPO to be imposed is also not relevant. The test is the public amenity value of the trees.

6.0 THE EFFECT OF THE ORDER.

- Once the TPO has been made, it is an offence to do any works to the protected tree or trees without first gaining consent from the Council. This is done through a Tree Work Application. There is no fee charged for making a Tree Work Application.
- 6.2 If consent is refused, the applicant has the right of appeal to the Secretary of State.

7.0 CONSIDERATION

- 7.1 Members are requested to form a view, based on the evidence before them, of the amenity value of the trees, and the expediency of confirming the TPO. Members will have visited the site immediately prior to the formal hearing, to allow them to acquaint themselves with the characteristics of the tree or trees within the context of the surrounding landscape.
- 7.2 The written evidence that is attached to this report is as follows:
 - **Appendix 1** The schedule and map from the Order, which specifies all the trees protected.
 - **Appendix 2** The report of the Council's Tree Officer, setting out all the issues he considers should be taken into account, and making the case for confirming the Order.
 - **Appendix 3** The written representations from the objectors to the making of the Order
 - **Appendix 4** The written representations from supporters of making the Order.

Members will hear oral evidence at the hearing, in support of these written representations. The procedure to be followed at the hearing is attached to the agenda.

8.0 FINANCIAL IMPLICATIONS.

- 8.1 There are some relatively minor administrative costs associated with the actual process of serving and confirming the TPO. There are more significant costs associated with the need to respond to any applications to do works (lopping, topping or felling). The officers will normally visit the site and give advice on potential works to the trees.
- 8.2 The Council does not become liable for any of the costs of maintaining the tree or trees. That remains the responsibility of the trees' owners.

8.3 The Council does not automatically become liable for any damage that may be caused by the protected tree or trees. The only situation in which the Council may become liable is where consent has been sought, through a Tree Work Application, to do works to the tree, consent is refused, and the consequent damage caused by the tree could, reasonably, have been foreseen.

9.0 ENVIRONMENTAL IMPLICATIONS

9.1 The trees must have significant value within their landscape to justify the confirmation of the TPO.

10.0 CRIME AND DISORDER IMPLICATIONS

10.1 There are no crime and disorder implications arising from this report.

11.0 OTHER IMPLICATIONS

- 11.1 The making or confirmation of a Tree Preservation Order could interfere with the right of the property owner peacefully to enjoy his possessions but it is capable of justification under Article 1 of the First Protocol as being in the public interest (the amenity value of the tree) and subject to the conditions provided for by law (Town and Country Planning Act 1990) and by the general principles of international law.
- 11.2 In so far as the trees are on or serve private residential property the making or confirmation of a Tree Preservation Order could interfere with the right of a person to respect for his family life and his home but is capable of justification as being in accordance with the law and necessary in a democratic society for the protection of the rights and freedoms of others (Article 8).

12.0 RECOMMENDED:

12.1 That the Panel consider all the evidence before them and determine whether to confirm Tree Preservation order 19/04 Land of Burgate Court, Salisbury road, Burgate, Fordingbridge, with or without amendment.

For further information contact:

Background Papers:

Attached

Jan Debnam, Committee Administrator

Tel: 023 8028 5389

e-mail: jan.debnam@nfdc.gov.uk

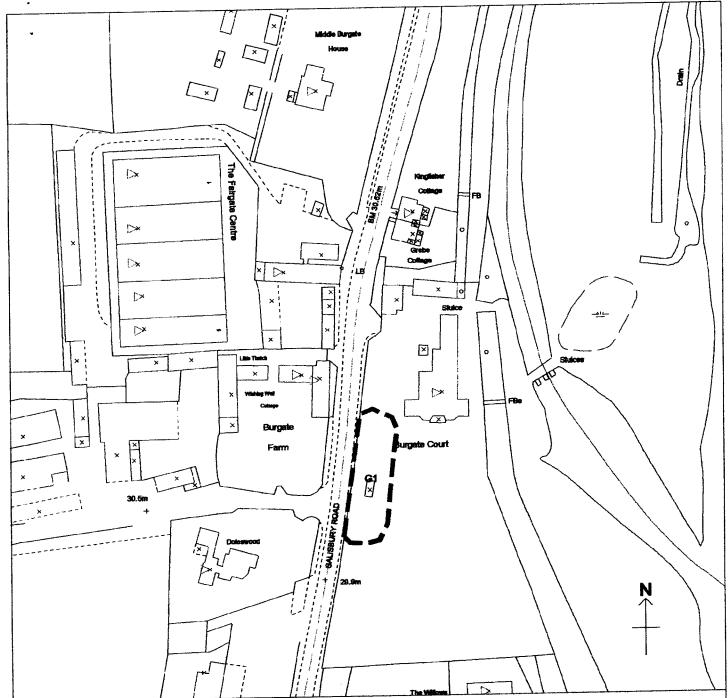
Julia Mutlow, Solicitor Tel: 023 8028 5149

e-mail: julia.mutlow@nfdc.gov.uk

5

APPENDIX 1

•		SCHEDULE 1	TPO 19/04
		• • • • • • • • • • • • • • • • • • • •	11 0 10/04
		SPECIFICATION OF TREES	
		Trees specified individually	
No. on		(encircled in black on the map)	
Map	Description	Situation	
None		·	
		Trees specified by reference to an area:	
		(within a dotted black line on the map)	
No. on			
Мар	Description	Situation	
none		_	
		Groups of Trees	
	(within a broken black line on the map)		
No. on Map	Description	Situation	
G 1	1 x Yew, 3 x Horse Chestnut, 1 x Pine	Land of Burgate Court adjacent to road t	frontage
		Woodlands	
		(within a continuous black line on the ma	p)
No. on	D	Situation	
Мар	Description	Situation	
None			



Tree Preservation Order Plan

Town and Country Planning Act 1990

T.P.O Number:

19/04

Approximate Scale: 1250

Date Printed:

15th June 2004

W John Ward BSc, MCD, MBA, MRTPI, MIMgt Head of Policy, Design & Information Community Services Directorate Appletree Court Lyndhurst SO43 7PA

Key

Individual Trees Covered by TPO

Area of Trees Covered by TPO

Groups of Trees Covered by TPO

Woodland of Trees Covered by TPO

Trees Noted but not Worthy of Preservation









AN AUTHORISED SIGNATORY

This map is based upon Ordnance Survey mate with the permission of Ordnance Survey on beh of the Controller of Her Majesty's Stationery Offi © Crown copyright. Unacthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. New Forest District Council licence no. 100026220

APPEALS PANEL MEETING - 23 NOVEMBER 2004

OBJECTION TO TREE PRESERVATION ORDER NO. 19/04 LAND OF BURGATE COURT, SALISBURY ROAD, FORNDINGBRIDGE

REPORT OF COUNCIL TREE OFFICER

1. TREE PRESERVATION ORDER HISTORY

- 1.1 Tree Preservation Order (TPO) No. 19/04 was made on 16 June 2004. The Order protects a group of trees comprising one yew, three horse chestnuts and one pine (G1).
- 1.2 The order was made to protect trees that make a positive contribution to the appearance of the local environment, following contact from a local resident concerned about potential development of land at Burgate Court that could threaten the retention of trees in the immediate area.
- 1.3 Following a site inspection by the Council's tree officer, he took the view that there were 5 trees on the main road frontage of Burgate Court, which made a positive contribution to the local environment and whose premature removal would be detrimental to the appearance of this well treed area.

2. OBJECTION

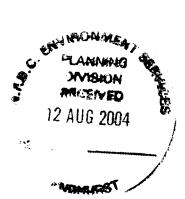
- 2.1 Following service of the TPO, Mr Currie the landowner, contacted the Council and arranged to meet the Council's tree officer to discuss the implications and the need for a TPO to protect these trees at this time.
- 2.2 Following that meeting and subsequent correspondence, Mr Currie wrote to the Council in a letter dated 14 July 2004 and 11 August 2004, formally objecting to the TPO on the grounds that
 - there is no threat to the trees and a TPO is unnecessary bureaucracy
 - there are other trees in the vicinity of equal amenity value but which are not protected by TPO

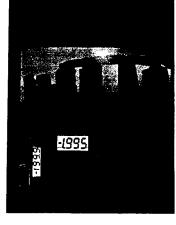
3. THE TREES

- 3.1 Four of the five trees comprising this TPO are large and visible from a considerable distance north and south along the Salisbury Road. The three horse chestnuts stand adjacent to the highway boundary of Burgate Court and grow some 15 metres tall. The pine stands a little to the east of the property boundary and is about 17 metres tall. The yew is a smaller specimen, which provides some lower evergreen foliage beneath the canopies of these larger trees. Altogether the five trees provide a strong and positive amenity feature beside the busy road.
- 3.2 At the time of his site visit to draw up the TPO, the Council's tree officer did not note any significant defects in the trees and takes the view that with a regime of regular inspection and pruning, the trees could be safely be retained as an amenity feature for many years.

APPENDIX 3







LASCAR ELECTRONICS LIMITED MODULE HOUSE, WHITEPARISH, SALISBURY, WILTSHIRE, SP5 2SJ U.K.

TELEPHONE: +44 (0)1794 884567 FAX - SALES: +44 (0)1794 884616 PURCHASING: +44 (0)1794 884100

E-mail: lascar@netcomuk.co.uk Website: http://www.lascarelectronics.com/

Mr J Hearne, Tree Team New Forest District Council. Appletree Court Lyndhurst SO43 7PA

11 August 2004

Dear Mr Hearne,

Ref: JH/mac/TPO 19/04 Land at Burgate Court, Salisbury Rd, Fordingbridge

Regretfully we cannot agree to withdrawal of our objection. The reason is that neither you or anyone else has demonstrated any threat to this group of trees. We are then faced with unnecessary bureaucracy. There are many similar groups of trees in this area including some in our own grounds. The problem with this group is that they are over the road from someone who is selling her house.

Could you let me know time and date of any hearing or how we make our representation. I have a feeling that the objectors will withdraw in any event, so I would ask you to actually not proceed with this unnecessary order and save us all a lot of time and effort.

Yours sincerely,

BRIAN CURRIE

in Cities

Mr B Currie Lascar Electronics Ltd Module House Whiteparish Salisbury Wiltshire SP5 2SJ My ref: JH/ TPO Your ref: 29 July 2004 fle.

Dear Mr Currie

TREE PRESERVATION ORDER 19/04

I refer to your letters of 5th July and 14th July.

As I mentioned when we met, the Tree Preservation Order was served when a local resident expressed fears that the trees may be threatened. I had hoped that I had reassured you that the imposition of such Orders is not an infrequent procedure when concerns are expressed to us that trees are under threat. Unfortunately it has occurred that seemingly unthreatened trees have been felled before TPOs were served.

The trees do merit inclusion in an Order by virtue of the high public amenity that they provide. I considered it expedient to serve the Order not just because of the concerns that had been brought to our attention, but because the trees may be threatened at a some future date by future occupants, perhaps by outbuildings or for some other reason.

You indicated to me that you were in complete agreement of the value of the tree and that your objection was solely because the Order is currently unnecessary. Whilst I understand your irritation I would still hope to confirm the Order for the reasons given. Applying for consent to prune the trees is not an onerous task and, as we discussed, I could arrange to grant you consent for repeat pruning of the nature you described. Under the circumstances I believe a formal objection procedure unnecessary and would urge you to reconsider.

Your letter of 14 July is being treated as an objection but I hope you agree that the content of this letter is reasonable and that you feel able to withdraw your objection.

Yours sincerely

John Hearne Arboriculturist

Tel:

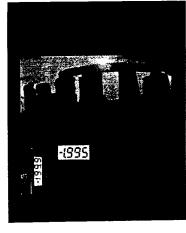
(023) 8028 5330

Fax:

(023) 8028 5223

Email:

pdi@nfdc.gov.uk



LASCAR ELECTRONICS LIMITED MODULE HOUSE, WHITEPARISH, SALISBURY, WILTSHIRE, SP5 2SJ U.K.

TELEPHONE: +44 (0)1794 884567FAX - SALES: +44 (0)1794 884616
PURCHASING: +44 (0)1794 884100

E-mail: lascar@netcomuk.co.uk
Website: http://www.lascarelectronics.com/

New Forest District Council Appletree Court Lyndhurst Hampshire SO43 7PA

14 July 2004

Dear Sirs.

OBJECTION TO TREE PRESERVATION ORDER NO.19/04 LAND OF BURGATE COURT, SALISBURY ROAD, BURGATE, FORDINGBRIDGE IN HAMPSHIRE

Please accept this notice of our objection to the above-mentioned Tree Preservation Order.

Our reasons for the objection are as follows:

There is absolutely no threat to these trees, so the only effect of the TPO will be to involve us in totally unnecessary bureaucracy.

There is a similar group of trees only 100metres from this group on which no preservation order has been issued.

As an aside I would point out that the neighbour who informed you of this so called threat, has actually got her house on the market. The cynical of those amongst us would think we are all being made fools of in an attempt to improve the sales prospects of this house.

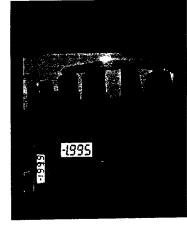
Yours faithfully.

Brian G Currie Managing Director

REGISTERED OFFICE: AS ABOVE DIRECTORS: B. G. CURRIE, G. CURRIE REGISTERED IN ENGLAND NO.: 1278183 V.A.T. REGISTRATION NO.: 251 5472 71

Mr J Hearne, Tree Team New Forest District Council, Appletree Court Lyndhurst SO43 7PA





LASCAR ELECTRONICS LIMITED MODULE HOUSE, WHITEPARISH, SALISBURY, WILTSHIRE, SP5 25J U.K.

TELEPHONE: +44 (0)1794 884567 FAX - SALES: +44 (0)1794 884616 PURCHASING: +44 (0)1794 884100

E-mail: lascar@netcomuk.co.uk Website: http://www.lascarelectronics.com/

5 July 2004

Dear Mr Hearne,

Ref: JH/mac/TPO 19/04 Land at Burgate Court, Salisbury Rd, Fordingbridge

Thank you for coming to see me at Burgate. To confirm the points made:

I regard this Order as totally unnecessary as there is no threat at all to this group of trees. There is a similar group of trees only 100 yards away which does not appear to need this type of protection.

The group of trees are a significant part of the appeal and amenity value of Burgate Court. They shroud the property from the road and noise of traffic.

My assumption is that most threats to trees are due to financial reasons. I cannot see how financially anyone would derive a benefit from removing these trees – quite the converse.

Additionally, the trees are in an SSSI and shortly to be in a National Park.

I would therefore be very grateful if you could reconsider the necessity of this Order which just creates an unnecessary layer of bureaucracy at Lascar Electronics.

I would appreciate some early comments from you so that I can reconsider all options open to us.

Yours sincerely,

Brian Curre

REGISTERED OFFICE: AS ABOVE DIRECTORS: B. G. CURRIE, G. CURRIE REGISTERED IN ENGLAND NO.: 1278183 V.A.T. REGISTRATION NO.: 251 5472 71

APPENDIX 4

Christine Bennett To: Cc: John Hearne

RE: Possible TPO's at Burgate Subject:

Christine.

I will mail you a plan of the area around Burgate Farmhouse i should be grateful if you could indicate on that plan the positions (roughly) of the trees with which you are concerned. I will then ask a colleague to inspect the site, speak to you and let you know if they contribute a public amenity and if there is a threat of them being removed so that they would warrant legal protection.

Tree Team Reference: 416.5

If a Tree Team reference number has been included in this message, please quote it in any future correspondence relating to this matter. Thank you.

Bryan Wilson

New Forest District Council Tree Team Leader Tel: 023 80 285327 8 777 285327 [HPSN OnNet]

Fax: 023 80 285223 bryan.wilson@nfdc.gov.uk

--Original Message-

Christine Bennett [SMTP:christine@jaramar.fsnet.co.uk]

From: 02 February 2004 16:37 Sent: bryan.wilson@nfdc.gov.uk To: Possible TPO's at Burgate Subject:

Dear Bryan

Can you help with some advice please?

The issue of possible industrial development has reared its ugly head again at Burgate, Fordingbridge. I am in contact with Simon Trueick who is keeping me up to date with present developments on the New Forest District Local Plan - First Alteration (Topic NFDC/T6.3). My neighbours & myself believe that some prominent trees could be at threat if the development were permitted.

I don't know what the procedure or cost is to request TPO's. Would it be possible for you to come over for a site visit and to discuss the possibilities open to us?

I look forward to hearing from you.

With best wishes. Christine Bennett Burgate Farmhouse Burgate Fordingbridge SP6 1LX 01425 655909

This e-mail has been scanned for all viruses by Star Internet. The service is powered by MessageLabs. For more information on a proactive

From: Christine Bennett [christine@burgatefarm.freeserve.co.uk]

Sent: 11 November 2004 15:08

To: Bryan Wilson

Subject: TPO appeal at Burgate - ref 416.5

Dear Bryan

I understand from my neighbour, Ann Leather, that Mr Brian Currie, owner of Burgate Court has appealed against the TPO at Lower Burgate. Ann has given me a copy of the appeal procedure which shows it is to take place on 23 November '04. I thought it might be helpful to update you on the situation with regard to the District Local Plan outcome. The Inspector has recommended against industrial allocation at Burgate. However, this does not mean that we are 'safe'. Can I point you to the Inspector's comment at point 2.9.7 (page 61 of his Report under Topic T6.3 - Land at Burgate, Fordingbridge). The Inspector says"The agricultural buildings are somewhat dilapidated and unattractive. In these circumstances and given the need to seek an employment allocation in the vicinity of Fordingbridge, it may be that a special case could be advanced which allowed redevelopment in this instance provided that such a proposal was acceptabale in other respects"

I will definitely be present for the appeal, along with several of my neighbours.

Regards Christine Bennett Burgate Farmhouse Burgate Fordingbridge SP6 1LX 01425 655909

This e-mail has been scanned for all viruses by Star. The service is powered by MessageLabs. For more information on a proactive anti-virus service working around the clock, around the globe, visit:

http://www.star.net.uk

From:

Sent:

Subject:

To:

John Hearne

Bryan Wilson

11 November 2004 09:26

FW: Possible TPO's at Burgate (ref 416.5)

----Original Message----From: Christine Bennett [mailto:admin@burgatefarm.freeserve.co.uk] Sent: 18 June 2004 10:25 To: John Hearne Subject: Re: Possible TPO's at Burgate (ref 416.5) I gather from my neighbour, Anne Leather, that the TPO has now been issued to Brian Currie at Burgate Court. You have sent her a copy & also one to Bridget Stallard at Burgate Manor Farm. Presumably, you have to send a copy to all landowners that border the land in question? Would it be possible for you to send me a copy please and also one to my other neighbour, Brian McKeowan at Doleswood as we are the 2 properties that are most affected? Many thanks for all your help. Regards Christine Bennett Burgate Farmhouse, Burgate, Fordingbridge SP6 1LX ---- Original Message ----From: "John Hearne" <John.Hearne@NFDC.gov.uk> To: "'Christine Bennett'" <christine@burgatefarm.freeserve.co.uk> Sent: Friday, June 04, 2004 12:48 PM Subject: RE: Possible TPO's at Burgate (ref 416.5) > I am sorry it is not done already. I will instruct the TPO on Mon or Tues, > the Order can then be served within a couple of days, certainly within next > week. If there is greater urgency we can do it quicker if you want... > > ----Original Message----> > From: Christine Bennett [SMTP:christine@burgatefarm.freeserve.co.uk] > > Sent: 04 June 2004 12:09 > > To: John Hearne > > Cc: Bryan Wilson > > Subject: Possible TPO's at Burgate (ref 416.5) > > Sorry to be a pain but I am in the process of selling Burgate Farmhouse > > am about to accept an offer. Once I have to start filling in > > questionnaires etc for the solicitors then the issue of ownership of the > > corner of my garden will have to be declared. The only way that the > > could be 'taken back' is if it were needed to provide a visibility > > from the lane onto the A338. Highways have already stated that they do > > not feel that a suitable access could be achieved from this lane. My > of getting a TPO issued is to strengthen the situation as this would make > > it very difficult to widen the A338 at this point. > > Are you able to give me any timescale on the actual process needed to > > issue an Order? Also, are you able to inform me when it has happened?

```
> > Any degree of reassurance that I can give my prospective buyer would be
> > very helpful.
> > Many thanks.
> > Christine Bennett
> > Burgate Farmhouse
> > 01425 655909
> >
> >
> > This e-mail has been scanned for all viruses by Star Internet. The
> > service is powered by MessageLabs. For more information on a proactive
> > anti-virus service working around the clock, around the globe, visit:
> > <http://www.star.net.uk>
>
>
*****************
> IMPORTANT - PRIVACY AND CONFIDENTIALITY NOTICE
> The information in this electronic mail (e - mail) and any appendices to
it is the property of New Forest District Council (the Council).
> All reasonable steps have been taken to ensure that this e - mail and its
attachments are free from viruses. The Council accepts no liability for any
loss costs damage or expense suffered as a result of accessing it or any of
its attachments.
> It may contain confidential information. It is intended for the addressee
only.
> If you are not the addressee it must be kept strictly confidential and you
must not make a copy of it or distribute it or disclose it or take any
action in reliance on it or use the information in any other way.
> The view expressed in this electronic communication are the views of the
writer and are not, unless otherwise stated, the views of New Forest
District Council.
> It may contain information that is covered by legal professional or other
privilege. It is
> intended only for the personal attention of the named professional, firm
or company to whom it is addressed. No mistake in transmission is intended
to waive or compromise any such privilege.
> If you have received it in error please notify us at once by returning the
e - mail to the Council.
> The Council accepts no liability arising from unauthorised access to the
information in this e - mail or its attachments whilst stored on any
computer system or electronic storage media outside of its direct control.
> Communications using this e-mail system may be monitored.
>
> This e-mail has been scanned for all viruses by Star Internet. The
> service is powered by MessageLabs. For more information on a proactive
> anti-virus service working around the clock, around the globe, visit:
> http://www.star.net.uk
```

This e-mail has been scanned for all viruses by Star Internet. The service is powered by MessageLabs. For more information on a proactive anti-virus service working around the clock, around the globe, visit: http://www.star.net.uk

To:

Christine Bennett

Cc:

John Hearne

Subject:

RE: Possible TPO's at Burgate (ref 416.5)

Christine, sorry that you haven't heard from us. I know that my colleague, John Hearne, has visited to inspect the trees. He is on leave this week, returns next Weds. Unless you know of some urgency this week, I'll ask him to get back to you next week.

Bryan

Tree Team Reference: 416.5

If a Tree Team reference number has been included in this message, please quote it in any future correspondence relating to this matter. Thank you.

Bryan Wilson

New Forest District Council Tree Team Leader

Tel: 023 80 285327

8 777 285327 [HPSN OnNet]

Fax: 023 80 285223 bryan.wilson@nfdc.gov.uk

-Original Message-

From:

Christine Bennett [SMTP:christine@burgatefarm.freeserve.co.uk]

Sent:

15 April 2004 12:06 bryan.wilson@nfdc.gov.uk

To:

john.hearne@nfdc.gov.uk

Cc: Subject:

Possible TPO's at Burgate (ref 416.5)

Dear Bryan

Any news on the possibility of TPO's on trees at Burgate please.

Many thanks. Christine Bennett Burgate Farmhouse, Fordingbridge 01425 655909

This e-mail has been scanned for all viruses by Star Internet. The service is powered by MessageLabs. For more information on a proactive anti-virus service working around the clock, around the globe, visit: http://www.star.net.uk">

Christine Bennett To: John Hearne Cc:

RE: Possible TPO's at Burgate Subject:

Christine,

I will mail you a plan of the area around Burgate Farmhouse. I should be grateful if you could indicate on that plan the positions (roughly) of the trees with which you are concerned. I will then ask a colleague to inspect the site, speak to you and let you know if they contribute a public amenity and if there is a threat of them being removed so that they would warrant legal protection.

Tree Team Reference: 416.5

If a Tree Team reference number has been included in this message, please quote it in any future correspondence relating to this matter. Thank you.

Bryan Wilson

New Forest District Council Tree Team Leader

Tel: 023 80 285327

8 777 285327 [HPSN OnNet]

Fax: 023 80 285223 bryan_wilson@nfdc.gov.uk

--Original Message-

Christine Bennett [SMTP:christine@jaramar.fsnet.co.uk] From:

02 February 2004 16:37 Sent: bryan.wilson@nfdc.gov.uk To: Possible TPO's at Burgate Subject:

Dear Bryan

Can you help with some advice please?

The issue of possible industrial development has reared its ugly head again at Burgate, Fordingbridge. I am in contact with Simon Trueick who is keeping me up to date with present developments on the New Forest District Local Plan - First Alteration (Topic NFDC/T6.3). My neighbours & myself believe that some prominent trees could be at threat if the

development were permitted. I don't know what the procedure or cost is to request TPO's. Would it be possible for you to come over for a site visit and to discuss the possibilities open to us?

I look forward to hearing from you.

With best wishes. Christine Bennett Burgate Farmhouse Burgate Fordingbridge SP6 1LX 01425 655909

This e-mail has been scanned for all viruses by Star Internet. The service is powered by MessageLabs. For more information on a proactive