

APPEALS PANEL – 30 JUNE 2010

OBJECTION TO THE MAKING OF TREE PRESERVATION ORDER 02/10, LAND OF 64 HAMPTON LANE AND THE SCOUT HUT THORNBURY AVENUE, BLACKFIELD, FAWLEY

1. 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. 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 procedure allows objections and representations to be made to the Council, in writing, within 28 days of the Order and corresponding documentation being served on those affected by it. 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 try to 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, usually has a life of 6 months. Within that period of 6 months, the Council should decide whether or not to confirm the Order, with or without amendment. If a decision on confirmation is not taken within this time, the Council is not prevented from confirming the Tree Preservation Order afterwards. But after 6 months the trees lose protection until confirmation.

3. 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. TYPES OF TREE PRESERVATION ORDER

- 4.1 The Tree Preservation Order 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. THE ROLE OF THE PANEL

- 5.1 While objectors may object on any grounds, the decision about confirmation of the Order should be confined to the test set out in 3.1 above.
- 5.2 The Secretary of State advises that it would be inappropriate to make a TPO in respect of a tree which is dead, dying or dangerous.
- 5.3 **Amenity value**
This term is not defined in the Act, but there is guidance in the Blue Book. In summary the guidance advises:

- 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.

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.

6. **THE EFFECT OF THE ORDER**

- 6.1 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 through a tree work application unless such works are covered by an exemption within the Act. In this respect of the Local Planning Authority consent is not required for cutting down or carrying out works on trees which are dead, dying or dangerous, or so far as may be necessary to prevent or abate a nuisance. Great care should be exercised by individuals seeking to take advantage of an exemption because if it is wrongly misjudged offences may be committed. 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. CONSIDERATION

7.1 Members are requested to form a view, based on the evidence before them, whether it appears to them to be expedient in the interests of amenity to confirm the TPO taking into account the above guidance. 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 Written representations from the supporters of 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. FINANCIAL IMPLICATIONS

8.1 There are some modest 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 Tree Work Applications to do works (lopping, topping or felling) see 8.3 below. 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 TPOs make provision for the payment by the Local Planning Authority of compensation for loss or damage caused or incurred as a result of:

(1) their refusal of any consent under the TPO, or

(2) their grant of a consent subject to conditions.

To ascertain whether someone is entitled to compensation in any particular case it is necessary to refer to the TPO in question. It is especially important to note that the compensation provisions of TPOs made on or after 2 August 1999 differ substantially from the compensation provisions of TPOs made before that date.

TPOs made before 2 August 1999

Under the terms of a TPO made before 2 August 1999 anyone who suffers loss or damage is entitled to claim compensation unless an article 5 certificate has been issued by the Local Planning Authority.

TPOs made on or after 2 August 1999

In deciding an application for consent under a TPO made on or after 2 August 1999 the Local Planning Authority cannot issue an article 5 certificate. There is a general right to compensation. However, the TPO includes provisions which are intended to limit the Local Planning Authority's liability to a fair and reasonable extent, and so the general right to compensation is subject to the following exceptions:

- (1) no claim for compensation can be made if the loss or damage incurred amounts to less than £500;
- (2) no compensation is payable for loss of development value or other diminution in the value of the land. 'Development Value' means an increase in value attributed to the prospect of developing land, including clearing it;
- (3) no compensation is payable for loss or damage which, bearing in mind the reasons given for the application for consent (and any documents submitted in support of those reasons), was not reasonably foreseeable when the application was decided;
- (4) no compensation is payable to a person for loss or damage which was (i) reasonably foreseeable by that person, and (ii) attributable to that person's failure to take reasonable steps to avert the loss or damage or mitigate its extent; and
- (5) no compensation is payable for costs incurred in bringing an appeal to the Secretary of State against the Local Planning Authority's decision to refuse consent or grant it subject to conditions.

9. ENVIRONMENTAL IMPLICATIONS

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

10. CRIME AND DISORDER IMPLICATIONS

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

11. 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).

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. RECOMMENDED:

12.1 That the Panel consider all the evidence before them and determine whether to confirm Tree Preservation Order 02/10 relating to land of 64 Hampton Lane and The Scout Hut, Thornbury Avenue, Blackfield, Fawley with, or without, amendment.

For Further Information Please Contact:

Jan Debnam
Committee Administrator
Tel: (023) 8028 5389
E-mail: jan.debnam@nfdc.gov.uk

Grainne O'Rourke
Head of Legal and Democratic Services.
Tel: (023) 8028 5285
E-mail: grainne.orourke@nfdc.gov.uk

Background Papers:

Attached Documents:
TPO 02/10
Published documents

APPENDIX 1

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
T1	Oak	Northern boundary of the Scouts Hut, Thornbury Avenue, Blackfield. As shown on plan.
T2	Oak (triple stemmed)	Eastern boundary of 64 Hampton Lane, Blackfield. As shown on plan.

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

Reference on map	Description	Situation
None		

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

Reference on map	Description (including number of trees in the group)	Situation
None		

Woodlands (within a continuous black line on the map)

Reference on map	Description	Situation
None		



Tree Preservation Order Plan

Town and Country Planning Act 1990

T.P.O Number: 02/10
 Approximate Scale: 1:1000
 Date Printed: 09/02/10

Chris Elliott
 Head of Planning and Transportation
 New Forest District Council
 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



[Signature]
 AN AUTHORISED SIGNATORY



APPENDIX 2

OBJECTION TO TREE PRESERVATION ORDER NO 02/10

LAND OF 64 HAMPTON LANE AND 64 THORNBURY AVENUE AND THE SCOUT HUT, THORNBURY AVENUE, BLACKFIELD FAWLEY

REPORT OF COUNCIL'S TREE OFFICER

1 TREE PRESERVATION ORDER HISTORY

- 1.1 Tree Preservation Order (TPO) 02/10 was served on 19 February 2010 and protects two mature Oak trees, T1 and T2 sited within the grounds of The Scouts Hut, Thornbury Avenue and 64 Hampton Lane, Blackfield. A copy of the site plan and first schedule from the TPO are attached as Appendix 1 to Report A.
- 1.2 The TPO was made following an initial telephone conversation and subsequent email from Fawley Parish Council on the 9 February 2010. The Parish Council highlighted their concerns for the safety of the Oak tree, T1, due to continued pressure to have the tree felled for allegedly causing damage to the boundary fence, property foundations and falling debris.
- 1.3 The Council's Tree Officer inspected the two Oak trees and concluded that they both made a positive contribution to the landscape of the immediate and surrounding area. It was evident that the Oak tree T2 had been ring barked historically.
- 1.4 One letter objecting to the making of the TPO was received on the 3 March 2010, countersigned by Sally Neal, Edward Wallington, Joan Wallington, Matthew Cooper and ReINETTE Cooper. A copy of this letter is attached in Appendix 3 to Report A.

2 THE TREES

- 2.1 The trees in question are an Oak, designated as T1, located within the grounds of the Scouts Hut, Thornbury Avenue and another Oak, designated as T2, located within the rear garden of 64 Hampton Lane. At the time of inspection both the trees appeared in a good physiological and structural condition and would offer in excess of 40 years' safe useful life expectancy.
- 2.2 The Oak T1 is approx 5.5m away from the dwelling of 64 Hampton Lane with T2 sited within the rear garden approx 34m away from the dwelling.
- 2.3 The trees offer a good level of visual amenity to the immediate and surrounding area, as they can be seen from a number of public vantage points outside of the site. They also make a positive backdrop to the Queen Elizabeth II recreation ground.

3 THE OBJECTIONS

A copy of the objection letter is included in Appendix 3, together with the copies of the correspondence with the objectors.

The grounds for objection include:

- Current damage being caused to the boundary fence and property.
- Overshadowing nature of the Oak T2 to the vegetable plot, reducing the ability to grow vegetables.

4 OBSERVATIONS ON THE GROUNDS OF OBJECTION

- 4.1 A number of attempts to resolve the grounds of objection have been made. An initial site meeting was held with Sally Neale and Mr Wallington on 22 March 2010. At this meeting it was agreed that an additional meeting would be arranged with Mr Richardson (Acting Clerk of Fawley Parish Council) in attendance.
- 4.2 The second site meeting was held on the 19 April 2010 and was attended by Mr Richardson, Mr Wallington and the Council's Tree Officer. The fence panels were inspected and it was agreed that the movement was minor. Fawley Parish Council acknowledged the damage and confirmed that repairs would be considered in the future if the situation was to deteriorate.
- 4.3 The Oak tree T1 is approx 5.5m away from 64 Hampton Lane. Its canopy overhangs the site minimally. It was also evident that the tree's lowest lateral branches have been removed. The presence of the decking roof/lean-to has increased the maintenance requirement on the home owner. Such issues must be expected when living near to trees and should have been taken into account before constructing this temporary structure.
- 4.4 The Oak tree T2 is a large specimen with a wide spreading crown. The tree is situated on the eastern boundary of the site and does partially block early morning sunlight to small areas of the rear garden.

5 CONCLUSION

- 5.1 TPO 02/10 protects two mature Oak trees T1 and T2 sited within the grounds of The Scouts Hut, Thornbury Avenue and 64 Hampton Lane, Blackfield.
- 5.2 The Order was made following concerns raised by Fawley Parish Council regarding the Oak, within the grounds of The Scouts Hut, and the continued pressure received from the residents of 64 Hampton Lane to remove the tree.
- 5.3 Following an initial site visit by the Council's Tree Officer, it was evident that the Oak tree T2 had been ring barked and was therefore expedient to be included within the TPO. Both trees afford a good level of public amenity to the surrounding area and provide a positive backdrop to the Queen Elizabeth II recreation ground.
- 5.4 At the time of inspection, both T1 and T2 were in a good physiological and structural condition. No major defects were noted from ground level.
- 5.5 A number of site visits have been completed in order to try and resolve the objections raised.

- 1.1 Some minor damage was noted to a fence panel and supporting post immediately adjacent to the Oak T1. Fawley Parish Council acknowledge the damage and have confirmed that repairs would be considered in the future if the situation was to deteriorate.
- 1.2 The trees can be clearly seen from a number of public vantage points and contribute positively to the setting QE2 recreation ground.

2 RECOMMENDATION

- 2.1 It is recommended that TPO 02/10 is confirmed without modification.

For Further Information Please Contact:

Andy Luddington
Arboricultural Officer
Tel: (023) 8028 5328
E-mail Andrew.luddington@nfdc.gov.uk

Background Papers:

Tree Preservation Order No. 02/10

APPENDIX 3



Shellby
64 Hampton Lane
Blackfield
Southampton
SO45 1WN
1 March 2010

Head of Legal and Democratic Services
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA

Dear Sir,

We, the undersigned object to Preservation Order 02/10. This order was only put in place after I contacted Fawley Parish Council regarding the damage the tree (T1) was inflicting on the property of 64 Hampton Lane.

This tree is 0.5 meter from the fence and pushing it to such an extent that the fence panels will not stay in place, as pointed out to Fawley Parish Council.

To arbitrarily place an order on a tree already causing damage, which is also only 5.5 meters from the building, to make my complaint disappear, is underhand at best and unethical.

I have again written to Fawley Parish Council to ask how they intend to proceed regarding the damage previously mentioned (please see attached).

We hope that this preservation order will not be confirmed by the council based on information received from Fawley Parish Council, as it would appear they are unwilling to address the damage problem.

As regards T2, this tree completely overshadows our vegetable plot, making it almost impossible for us to be self-sustaining. We have reduced the head of this tree on several occasions, and it needs constant upkeep to enable us to continue growing the few vegetables we are able.

Sally Neaie

Edward Wallington

Joan Wallington

Matthew Cooper

Reinette Cooper

Shellby
64 Hampton Lane
Blackfield
Southampton
SO45 1WN
1 March 2010

Cllr E Holtham
Fawley Parish Council
Recreation Centre
Newlands Road
Fawley
SO45 1GA

Dear Sir

I refer to Tree Preservation Order 02/10 and our previous communications regarding this oak tree (T1).

I would firstly like to refer to information published by the Association of British Insurers: **PROTECTING YOUR HOME FROM SUBSIDENCE DAMAGE**. In this document it is advised that a safe distance for an oak tree to be planted away from a building is 30 meters.

Many other organisations, including the Royal Botanical Gardens at Kew, advises that an oak tree should be planted a minimum of 18 meters away from a building in order to avoid damage to that building.

According to experts, the roots of oak trees have been recorded to have spread up to 30 meters, which conflicts with your previous letter suggesting that the roots of an oak tree only grow downwards.

The tree referred to is only 0.5 meters away from the fence and 5.5 meters away from my house.

Furthermore, the damage to my fence and paving was brought to your attention prior to this preservation order being issued. I believe that I followed the correct procedure in reporting this damage, but instead of receiving a reply with a satisfactory solution, the New Forest District Council (presumably prompted by your recommendation) have issued the preservation order in response. To me this indicates a refusal to admit liability for the damage caused to my property, which I will not accept.

Please reply with an amenable and practical solution to the problem.

Yours faithfully

Sally Néale

Copy



Planning & Transportation

Head of Service: Chris Elliott

Environmental Design

Manager: Neil Williamson

((2;C;1))

MS SALLY NEALE
64 HAMPTON LANE
BLACKFIELD
SOUTHAMPTON
SO45 1WN

My Ref: ALUD/02/10

Your Ref:

20 April 2010

Dear Ms Neale

TREE PRESERVATION ORDER (TPO) 02/10

Following the site meeting held at 64 Hampton Lane, Blackfield on the 19 April 2010 with myself, Mr Richardson (Acting Clerk Fawley Parish Council) and Mr Wallington. I would like to confirm the following points that were discussed.

- The fence panel: Minor movement was noted to the fence panel, located closest to the stem of the Oak T1. Fawley Parish Council confirmed that they would not rule out repairing the post in the near future, but did not consider such repairs necessary at this time.
- The decking roof/lean-to: The presence of the lean-to, while helping to keep the decking below clean, has created its own issues with regards to leaf litter and debris. It should be expected when living near to trees that there will be a level of maintenance required by the property owners. Both New Forest District Council and Fawley Parish Council can confirm that they do not provide a cleaning service for such issues.
- The Oak is too close to property: The tree is considered a suitable species for its location and is in a good overall condition from a ground level inspection.

Several attempts have been made to resolve the issues raised in your letter of objection dated 1 March 2010. Should you not wish to withdraw your objections the process of a TPO objection panel meeting will have to commence.

Continued...



Disability Helpline
01425 656096

Minicom/Text: 023 8028 5416

Appletree Court, Beaulieu Road,
Lyndhurst, Hampshire SO43 7PA

T: 023 8028 5000
DX 123010 Lyndhurst 2
www.newforest.gov.uk

As previously explained, a TPO objection panel meeting is a process whereby local Council members will meet and make the final decision as to whether the TPO is confirmed or not, this is an open meeting and you will be invited to attend.

I look forward to hearing from you. However, if you have any further questions, please do not hesitate to contact me on the number below.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Luddington', with a long horizontal flourish extending to the right.

Andrew Luddington
Arboricultural Officer

Tel: 023 8028 5328
Fax: (023) 8028 5223
Email: andrew.luddington@nfdc.gov.uk

C.C. Mr G Richardson, Fawley Parish Council



Planning & Transportation

Head of Service: Chris Elliott

Environmental Design

Manager: Neil Williamson

((2:0.1))

Mr G Richardson (Acting Clerk)
Fawley Parish Council
Gang Warily Community Centre
Newlands Road
Blackfield
Southampton
SO45 1GA

My Ref: ALUD/02/10

Your Ref:

20 April 2010

Dear Mr Richardson

TREE PRESERVATION ORDER (TPO) 02/10

Following the site meeting held at 64 Hampton Lane, Blackfield on the 19 April 2010 with myself, Mr Richardson (Acting Clerk Fawley Parish Council) and Mr Wallington. I would like to confirm the following points that were discussed.

- The fence panel: Minor movement was noted to the fence panel, located closest to the stem of the Oak T1. Fawley Parish Council confirmed that they would not rule out repairing the post in the near future, but did not consider such repairs necessary at this time.
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Continued...



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01425 656096

Minicom/Text: 023 8028 5416

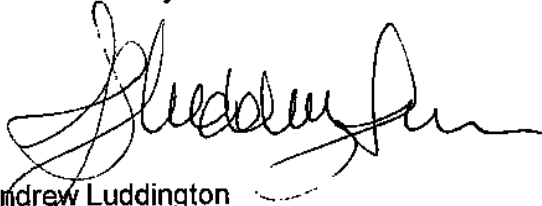
Appletree Court, Beaulieu Road,
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T: 023 8028 5000
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I look forward to hearing from you. However, if you have any further questions, please do not hesitate to contact me on the number below.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Luddington', written in a cursive style.

Andrew Luddington
Arboricultural Officer

Tel: 023 8028 5328
Fax: (023) 8028 5223
Email: andrew.luddington@nfdc.gov.uk

C.C. Mr G Richardson, Fawley Parish Council

APPENDIX 4

Andrew Luddington

From: Ann Caldwell
Sent: 02 February 2010 16:24
To: Andrew Luddington
Subject: Gordon Richardson, acting Clerk to Fawley P.C.

Follow Up Flag: Follow up
Flag Status: Flagged

Oak tree on QE2 Playing fields. The people in the house next to the tree want the tree taken down but Fawley P.C. say that the tree is perfectly healthy and do not want it taken down.

He would like you to have a look at it with a view to putting a TPO on as they are under a lot of pressure to take it down.

Please ring on 8089 0761.

Ann Caldwell
Tree Team Admin Assistant
ann.caldwell@nfdc.gov.uk
Tel: 023 8028 5291

Andrew Luddington

From: clerk [clerk@fawleyparishcouncil.org.uk]
Sent: 09 February 2010 10:22
To: Andrew Luddington
Subject: Oak Tree Near Scouts Hut QE2

Hello Andrew

Thank you for looking at the above.

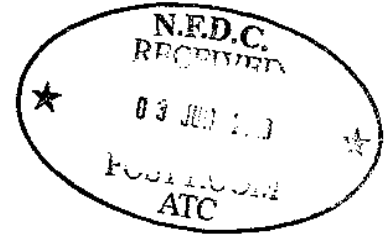
I confirm that we have had numerous complaints from the resident who abuts the oak tree who has claimed at various times that the tree is damaging his fence/ the foundations to his home/ the foundations to his conservatory. The Parish Council considers that none of these complaints are justified.

The Parish Council believes that the oak tree is in good condition and should be protected by a TPO.

regards

Gordon
Gordon Richardson
Acting Parish Clerk(Fawley)

Edrey
Thornbury Avenue
Blackfield, Hampshire, SO45 1YQ.



Jan Debham
Committee Administrator
Legal & Democratic Services
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire SO43 7PA.

Your ref JMD/TPO 02/10

1st June 2010

Dear Ms Debham

Re: Tree Preservation Order No. 02/10 – Land of 54 Hampton Lane & Scout Hut,
Thornbury Avenue, Blackfield.

Thank you for your letter dated 25th May advising us of the Council's Appeal Panel, scheduled to hear objections on Wednesday 30th June.

Unfortunately we will be unable to attend the meeting in person due to work commitments but would like this letter brought to the attention of the Panel.

Our property backs onto the land in question and we are anxious that a Tree Preservation Order **should be issued** on the basis of continued environmental protection of the area. Over the years we have seen increased building being undertaken in the area, with a loss of green space and more importantly a loss of habitat for our wildlife. We are therefore concerned that any further cutting down of trees and use of green space will have a detrimental impact on the wildlife in this area.

We hope therefore that the Panel will issue a Preservation Order in this case.

Yours sincerely

Mssrs A & K Baker & Miss C Lacey.