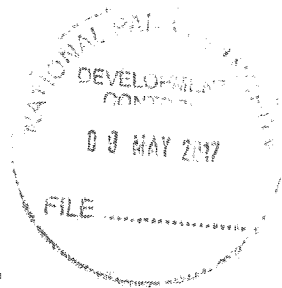


Drive



36 Alder Hill

Totton
Southampton
SO40 8JB

01/05/2017

To whom it may concern,

Ref – TPO/0021/17 36 Alder Hill Drive, SO40 8JB

We received your letter dated 11/04/2017 with regards to the notification of the Tree Preservation Order that has been put on the oak tree in our back garden. To say that we were devastated at this news would be an understatement.

We completed on the sale of our property on 09/12/2016 after initially viewing the house when it was for sale in July and August. We committed to the purchase and put an offer in when not once but twice I called New Forest District Council who confirmed to me that there was not a TPO on the oak tree in the back garden and there would not be in the future. The estate agent Fox and Sons also called the council and spoke to the same person that I did and they to were advised that there was not a preservation order on the tree. This was also confirmed on the local land search carried out by our Solicitor.

If had been advised correctly and honestly that there was going to be a TPO placed on the tree we would not have made an offer of £347,000.00 and tied us financially down to this house for the coming years.

In January this year we appointed a tree surgeon to quote us for removing the tree, we have this quote in writing but unfortunately we could not afford the quote at the time due to other financial commitments that came and took priority. I am sure you will appreciate how frustrated we are now and of the timing of your letter.

We have read and discussed the guide enclosed in your letter regarding TPO's, we would like to make the comments below regarding the tree on our land and hope that these will be taken into consideration before the TPO is confirmed;

- We are unclear as to specifically what amenity benefits this particular tree has to the local area. There is nothing convenient or beneficial about it in its current location, centered at the back of our garden, directly impacting and effecting 7/8 surrounding properties. Your letter states 'It is considered that premature removal or extensive pruning of the tree(s) would result in the loss of an amenity to the local environment' can this please be explained further?
- Why now? Why has a TPO been put on the tree now?
- There are many Oak and other trees around and if we were walking on

many of the wooded pathways in this area or in a woodland nearby we could understand the TPO however this is in a back garden, not a wooded area, around wooded walk ways or in the forest. This is a residential area.

- When I called the local authority to check for a TPO I was advised that the trees all along the boarder line of the properties to the left and the right of our property had TPO's apart from ours yet our neighbours have recently had theres removed.
- We have discussed at length and in detail with our neighbours to the side and the back of our property their views with regards to the TPO on the tree, there were no objections with regards to removing the tree in fact they welcomed the prospect of the tree being removed and the benefitts this would have on their properties. I hope that they have noted their comments and written to the local authority. We would be happy to collate some information and put it together and get our neighbours to sign any documents.
- The tree is unmanageable; we would be more than happy to plant smaller, more manageable trees in its place
- We are parents of a 4 and nearly 2 year old, the large garden was one of the main details that attracted us to the property and the potential the garden had. At the moment we do not consider it to be child friendly. As in comment 5 the tree is unmanageable, there are constant falling twigs and small braches coming off the tree and landing on the floor. Twice my son has had small branches fall on him without causing more than a shock and a scratch however this is not the worst case scenario and the thought of my child laying down enjoying the garden for debris or a branch to fall on either one of them is extremely upsetting and worrying for us. The tree also creates a lot of small debris; it is hard and impacts my children running around in bare feet or socks enjoying the garden.
- There is a glass roofed conservatory on the back of the property which is currently being used as a playroom, this wasn't a concern when we purchased the property because we initially wanted to remove the tree however again it is extremely concerning that a branch or debris could potentially fall and cause major injury, is terrifying.
- We were aware that the previous owners paid a local window cleaner to come and clean the windows and conservatory and clean and clear the guttering every 4/6 weeks at the back of the property, we have spoken to this gentleman since purchasing the property and have continued with his services due to the mess, guttering blockages and impacts the tree is already having, we can only imagine the mess in Autum when the leaves start to fall. This service is costing us around £170.00 per annum, this does not include cleaning of the patio areas and upkeep/ treatment of the grass. When we purchased the property this was not something that we took into account financially.
- We believe that the tree has caused damage to the structural positioning of the fence along the back of our garden, the fence is currently leaning on our neighbours shed. As the tree continues to move and grow this is a financial implication that we would have to take

in to consideration when looking to renew the fencing in the garden.

- The oak tree attracts a high number of pigeons. There is bird poo all over the back garden, on the patio areas, on our children's play equipment, on our shed, when I hang my washing up to dry 6 times out of 10 washes there is bird crap on it and I have to wash it again. My daughter has also been pooped on. It is disgusting and unhygienic. Although wildlife and garden birds are lovely we do not encourage them in the garden because of this. We have also seen rats in the garden around the tree, it creates an environment that they like, we keep our bins in dustbins as to not attract them however we consistently see them. We are unsure how to treat them currently.
- Due to the constant bird poo and falling debris from the tree there is nowhere comfortably to sit through out the day or place our garden furniture. Bird poo is damaging to materials and as per the point above it is unhygienic.
- We are aware from talking to our new neighbours that the previous owners paid someone annually to come and treat the tree canopy as to stop it from being low, it is already to low and the height is concerning. Our previous property was in a wooded area in Southampton, Lordswood. We are only to aware of the dangers of falling oak trees and other large unmanageable trees into peoples homes, we were subject to damage to our own home because of this. Our weather is changing and is becoming unpredictable. We believe this tree is dangerous and is to close to peoples homes.
- We cannot stress enough how distressing this is to us and the prospect of having to live with this tree in our garden for the foreseeable future. When we purchased the property we were aware that there were some conservation areas around the Totton area but we was not aware that we were moving into the New Forest National Park?? The forest is on our doorstep and we respect it and have already been enjoying taking advantage of being so close however we don't want the forest in our back garden.

We hope you take into consideration all the points above and understand from a young family's point of view how much this impacts our quality of life and enjoying our garden at all times and seasons throughout the year. If you would like any further information from us please do not hesitate to contact us by letter or on email at

I have kept record of this letter and will be seeking advice from our solicitor should we not hear in due course the response and confirmation of the TPO.

Kind Regards

Mr and Mrs Farmer



36 Alder Hill Drive
Totton
Southampton
SO40 8JB

16/06/2017

Dear Hannah,

Ref – TPO/0021/17 36 Alder Hill Drive, SO40 8JB

Thank you for visiting our home on 5th June and for your letter dated 06/06/17.

We have taken into account the points you have addressed in your letter but are not satisfied and would like our case to be heard by the TPO objections panel.

- Have you found the telephone conversations between myself and the officers/ administrators and estate agents and officers/ administrators advising us before we purchased the property that there was no tree preservation on the oak tree in the back garden?

- We would like to know the specific concerns of the resident that informed you the tree was under threat of removal?

- We dont feel that you have taken into consideration our concerns with regards to the points we raised about the maintenance of the tree and the impact it has on our family life and possible health and saftey risks to our children and property which is upsetting. The points you have raised with regards to reducing the the tips and reshaping the crown still do not address our concerns or resolve the issues

- You said on your visit that the tree is there and the TPO is becuse of public amenity 'it's looks pretty', it has nothing to do with the environment or any other reason. We have looked at the tree from various positions and argue that from an amenity point of view it would not be impacted if it was removed

- Yes, there is a corridor of trees running along the rear gardens of the properties on Alder Hill Drive, the tree in our back garden is by far the biggest and can be seen from various points, if it was to be reduced or removed it would no longer be visable therefore wouldnt impact public amenity. There is massive and already large gap in this corridor of trees next to our tree, this to can clearly be seen from various positions and again would like to point out that the removal of the tree would not impact amenity

- After discussing with surrounding neighbours, no objections or concerns were highlighted from anyone with regards to removing the tree that is in our back garden, that impacts our home and family life and that will impact us financially in the future.

We feel that the impacts to us specifically are more important and are a higher priority than one concerned neighbours issues are with regards to how the tree looks in their opinion. We would be happy to discuss this with the panel or a local councillor in person should they wish to.

[REDACTED]

We look forward to hearing from the TPO objections panel.

Yours sincerely

[REDACTED]

Mr and Mrs Farminer