

**Ref: Objection To Proposed TPO/06/22**

To Whom It May Concern,

The letter is provided as formal notification of objection to the above noted Tree Protection order proposed by the Surrey Heath Council.

Our objection takes 3 factors into account:

1 – The request is stated as reactionary against a planning application by one of the residents of Brompton Gardens, this is believed to be unreasonable and persecutory against the residents. The TPO measure should be used as a proactive precautionary measure for specific trees in need of support, it should not be placed reactively against a group of individuals regarding action they may or may not take. The nature of this application with its inclusion of only trees which could be affected by the residents of Brompton Gardens infer that this TPO proposal is being used as a restrictive measure against a number of residents, rather than being about specific trees of concern which require protection.

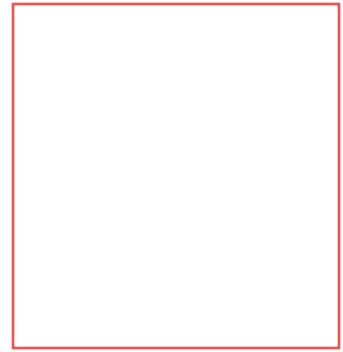
2 – This TPO is proposed to protect the trees which have been subject to pruning which is inferred to have led to loss. The noted pruning which has been completed on a few of the trees was completed a number of years ago by the developers of the Brompton Gardens site and that of the adjacent Taylor Wimpy development, not the current residents. All of these trees which were affected by the unmonitored development activities are now recovering and are generally in good health. To place restrictions on the current residents who have allowed the trees to recover is unreasonable when the noted work of concern was completed by un-managed developers. We see it as unreasonable as it places restrictions on the current residents for what they are allowed to do and places a high level of administrative burden on the residents to even complete maintenance of these trees. In a climate of spiraling costs, we also see it as unnecessarily increasing the residents cost of future maintenance activities with a much smaller number of surgeons who can complete the work and the increased level of planning required to do it.

3 – One of the main stated purposes of the proposal is to protect the sylvian nature of the area, yet the TPO is highly targeted at the residents of Brompton Gardens only. There are numerous trees (Oak trees & others) within a 100m radius of the Brompton Gardens site, many in a worse state than those subject to this TPO, which also contribute to nature of the area, yet none of these have

received or are receiving restrictions. At the entrance to Brompton Gardens and in the surrounding properties in Beldam Bridge Gardens, there are trees which are in greater need of protection than those of this TPO, yet these have not been considered or proposed as they are not possible to be affected by the residents of Brompton Gardens.

The above points highlight our concerns and each point further reinforces that this TPO is being placed as a targeted measure against the residents of Brompton Gardens and not true to the purpose of what a TPO should be used for. As such it is our view that this Tree Protection Order should not stand.





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To Whom It May Concern,

The letter is provided as formal notification of objection to the above noted Tree Protection order proposed by the Surrey Heath Council.

Our objection takes 3 factors into account:

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The above points highlight our concerns and each point further reinforces that this TPO is being placed as a targeted measure against the residents of Brompton Gardens and not true to the purpose of what a TPO should be used for. As such it is our view that this Tree Protection Order should not stand.





Ref: Objection To Proposed TPO/06/22

To Whom It May Concern,

This letter is provided as formal notification of objection to the above noted Tree Protection order proposed by the Surrey Heath Council on 9th August 2022.

Our objection takes 3 factors into account:

1 – The request is stated as reactionary against a planning application by one of the residents of Brompton Gardens, this is believed to be extremely unreasonable and persecutory against the residents of Brompton Gardens. The TPO measure should be used as a proactive precautionary measure for specific trees in need of support, it should not be placed reactively against a group of individuals regarding action they may or may not take. The nature of this application with its inclusion of only trees which could be affected by the residents of Brompton Gardens infer that this TPO proposal is being used as a restrictive measure against a number of residents, rather than being about specific trees of concern which require protection.

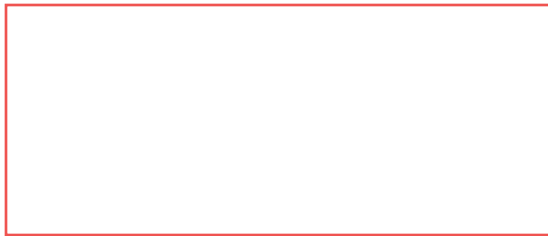
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received or are receiving restrictions. At the entrance to Brompton Gardens and in the surrounding properties in Beldam Bridge Gardens, there are trees which are in greater need of protection than those of this TPO, yet these have not been considered or proposed as they are not possible to be affected by the residents of Brompton Gardens.

Finally these trees highlighted would have gone through a similar review at the time of construction of Brompton Gardens circa 24 months ago at which point they were not deemed to require a TPO restriction.

The above points highlight our concerns and each point further reinforces that this TPO is being placed as a targeted measure against the residents of Brompton Gardens and not true to the purpose of what a TPO should be used for. As such it is our view that this Tree Protection Order should not stand.





Team: Planning Service
Our Ref: TPO/06/22
Direct Tel: 01276 707297
Email: Trees@surreyheath.gov.uk

Surrey Heath Borough Council
Surrey Heath House, Knoll Road,
Camberley, Surrey GU15 3HD
Web: www.surreyheath.gov.uk



Reference: **Proposed Tree Preservation Order (TPO) at the below address.**

Location: 4 Brompton Garden
West End
Woking
GU24 9GN

Dear 

Many thanks for your letter dated 2nd September 2022 relating to the recent serving of a TPO at the above address, outlining your objections to the TPO.

Under the Town and Country Planning Act (1990) local authorities may make a TPO if it appears to them to be expedient in the interests of amenity to make provision for the preservation of trees or woodland in their area. The Act does not define amenity, nor does it prescribe the circumstances in which it is in the interests of amenity to make a TPO. In the Secretary of State's view, a TPO should be used to protect selected trees and woodlands if their removal or harm would have a significant impact upon the local environment and its enjoyment by the public. Local planning authorities should be able to show that a reasonable degree of public benefit would accrue before the TPO is made or confirmed. The trees, or at least part of them, should therefore normally be visible from a public place, such as a road or footpath. Trees may be worthy of preservation, amongst other reasons, for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore or future development; the value of the trees may be enhanced by their scarcity; and the value of a group of trees or woodland may be collective only. Other factors such as importance as a wildlife habitat may be taken into account which alone would not be sufficient to warrant a TPO.

I have addressed each of your points from your letter below.

1. The TPO is not designed to prevent or hinder development, but developments should be sympathetic to the surrounding trees and not cause undue harm or threaten the long term viability of them. The

proposal for the extension as laid out in the planning application would have been contrary to that aim, the loss of soft ground (rooting area) of the tree along with secondary impacts such as the installation of patios or for the desire of more light into the garden and concerns over leaf drop can put undue pressure on these trees leading to significant pruning to alleviate these problems, which often causes further harm and does not generally address the initial problem. The Oak adjacent to your property is a significant tree in size and age and its loss, either directly or indirectly would harm the sylvan nature of the area, it is a prominent feature which is visible from the public realm and so the Council made the TPO to ensure this prominent tree and others around are protected. It has not been applied as a restrictive measure but to protect the amenity of the places in which people live.

2. I note that you have said that the developers of the property have carried out the work to the surrounding trees and unfortunately the level of work that was carried out has left parts of the trees scarred with large pruning wounds, which the tree is unlikely to compartmentalise in a short period of time. By compartmentalise I mean in short to 'heal over' while these wounds are exposed, the tree is open to airborne pathogens which can shorten the expected life expectancy of these trees. It also means that due to these actions, you as the homeowners will have increased maintenance costs to manage these foreseeable issues caused by the wounding, it is not the TPO which will cause these costs but previous management, concerns over these issues can lead to foreseeable tree loss, often considered the cheaper long term option. The TPO was applied to these trees to ensure the long term retention and that any future pruning is sympathetic and respects the condition of the trees but still taking into consideration the needs of the homeowner. The proposed extension risked the long term viability of the adjacent tree, which has already undergone significant development pressure and would have been contrary to best practice in relation to working near trees.

It should be noted that the TPO does not incur any additional financial costs in terms of tree work or the application process, which remains a free procedure, all tree surgeons should work to the same rigorous standards and quality regardless of the presence of a TPO in relation to tree care, you are not bound to use a 'specialist or consultant' for tree work, the only additional burden is the need to apply for the work beforehand and the time to administer the application for the council, but as most tree surgeons operate at least 6 weeks to 2 months beyond an initial request/booking for tree work. The decision has usually been determined before the tree surgeon is scheduled to carry out the work and the majority of decisions are issued in advance.

3. You have stated that there are other trees at greater risk, where the Council is made aware of these risks, we will act to protect trees and if you are aware of such risk please do inform us, but the Council is not able to protect any and all trees which provide amenity. But we are obliged to protect ones where activities such as poor pruning or significant development close to trees that risks their long term viability. Because of the sylvan nature of Brompton gardens it is considered expedient to protect the surrounding trees as they all provide amenity, this included the trees along the entrance road, the TPO protects not only the trees but the character of the area that you live in and enjoy, in all likelihood for the same sylvan reasons.

It should also be noted that A TPO is not designed to hinder the appropriate management of a tree. Any application to undertake work will be judged against good arboricultural practice and the Council would not withhold consent for appropriate works.

If this letter has not fully addressed your objections I would be happy to meet on site to discuss and explain further any points you or I have made, if you can please confirm within the next 10 working days if you would like to either meet to discuss these points or if you wish to withdraw your objection, in which case the Council would look to confirm the TPO. If you don't wish to withdraw your objection I will provide further details as to the next steps.

Many thanks

Alastair Barnes
Arboricultural Officer

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Junk Move Rules Send to OneNote Actions

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Immersive Language Zoom

Re: TPO/06/22 Objection Letter



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Tue 22/11/2022 19:51

Dear Mr Barnes,

Thank you for your response to our letter. Whilst I have considered the information you have shared it does not address or reasonably demonstrate factors which justify the application of the TPO to a very select number of trees in a large development area.

The proposed TPO is still viewed by us as a targeted and specific restrictive measure against the residents of Brompton Gardens only, and includes trees which have not received any damage during any of the developments which have occurred.

The sylvian nature of the area of West End, the bordering houses and developments to Brompton Gardens will not be fully protected by the application of a TPO to just these trees. The selection of these limited trees which could be effected by the residents of Brompton gardens fails to meet the objection of protecting the nature of the area in our opinion.

You have also stated that the TPOs would not create additional cost for the residents of Brompton Gardens, however, I would like to highlight to you that the time required to follow additional bureaucratic processes is a burden that all residents will bear, please do not assume that our time is free. Each resident will have to give up their valuable time in order to follow and satisfy the TPO processes, which we view as unnecessary in these cases.

Our objection remains and would be pleased to understand the next steps.

Best regards,

