

Enviro Trees UK
Century Buildings
14 St Marys Parsonage
Manchester
M3 2DE

Mr David Morren
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
Cambridgeshire
CB7 4EE

Dear Sir/Madam

**TREE PRESERVATION ORDER OBJECTION –
TPO/E/04/25**

I am writing to formally object to the Tree Preservation Order listed above.

The reasons for my objection have summarised below.

1. When assessing amenity to make provision for the preservation of trees or woodlands in their area', The Planning Practice Guidance states;

"When considering whether trees should be protected by an Order, authorities are advised to develop ways of assessing the amenity value of trees in a structured and consistent way, taking into account the following criteria:"

Visibility

"The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public."

Individual, collective and wider impact

"Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:

- size and form;
- future potential as an amenity;
- rarity, cultural or historic value;
- contribution to, and relationship with, the landscape; and
- contribution to the character or appearance of a conservation area.”

Other factors

“Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.”

The LPA have failed to demonstrate how the protection of the Lime Tree T1 would provide any reasonable degree of amenity.

The LPA have failed to provide any evidence that both amenity and expediency have been considered in a structured and consistent way

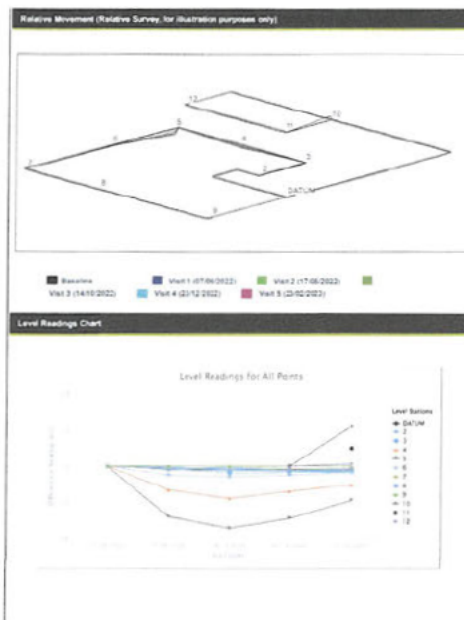
2. The Lime tree T1 has been directly linked as causal vegetation to subsidence damage at 93 Main Street, Little Downham, CB6 2SX. As part of the S211 tree works application that proceeded this Tree Preservation Order, a comprehensive suite of evidence was provided with an Arboricultural Survey Report produced by JCA Arboricultural & Ecological Consultants (JCA Ref 18335c/TT-Rev) which included the following data;

- Tree survey indicating significant vegetation in proximity to the damage.
- Series of recommendations covering both current claim (causal) and future risk recommendations
- Root Analysis from trial pit/borehole
- Level monitoring data
- Soil analysis and plasticity assessment

Analysis of the tree data indicates that the Lime tree T1 is a significant causal feature based upon known and accepted data sets

Ref	Common Name	Species & estimated age	Height (20m)	Vitality & condition	Tree owner/attachment to	Tree ID	CA	D to	ECM	ECM	Analysis	Recommendation	Confidence
T1	Lime	24	Good	Insured	CA	3.8	6	8	20		Lime (T1) is within the 30% chance for damage in the CAS study	Remove close to ground level and treat stump with herbicide to inhibit regrowth	High

This assumption is backed up by level monitoring data that clearly indicates vegetation linked movement.



The LPA have failed to recognise the evidence provided that the Lime tree (T1) has been identified as causal vegetation in the ongoing subsidence damage.

The implementation of this TPO restricts the removal of this tree, which is part of the long-term solution to resolving the subsidence. This will directly result in increased costs to the insurer and increases the risk of future ongoing damage.

Considering these two points that have been raised above, I strongly urge the Local Authority to not confirm the TPO and to consider the impacts of their decision upon both the resident suffering from tree attributed subsidence damage, and the risk to the Local Authority of future compensation claims from this action.

If you have any other queries, please do not hesitate to contact me.

Regards

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Senior Arboricultural Consultant



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