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Appendix 6

Mrs Sarah Clark
Hayloft Barn
Ashton with Stodday
Lancaster
Lancashire
LA2 0AJ

Regeneration & Planning Service
Development Management
PO Box 4
Town Hall
Lancaster
LA1 1QR

Date: 25th September 2017

Dear Mrs Clark,

Re: Letter of objection to Tree Preservation Order no.615 (2017) – Burrow House, Burrow heights Road, Lancaster

Thank you for your correspondence dated 25th July 2017.

May I apologise for the delay in responding to your letter.

I note that you have confirmed that you have no objection to trees T1, T2 & T3, all of which are large, mature sycamore, being protected under the terms of TPO no.615 (2017). Your objection relates solely to tree T4, sycamore.

You have raised four reasons for objection to the above tree preservation order. I will address each one in numerical order.

1. You state that you consider a more accurate description of the location of T4 to be on land which you consider as your private front garden to your property and not land opposite 1-5 Ashton barns. You have enclosed a copy of a land registry title plan referenced as LAN38029 which links the land to that of Hayloft Barn.

We will amend the description of TPO 615 (2017) to state trees on: "Land opposite Hayloft Barn and nos. 1-5 Ashton Barns".

2. You consider the imposition of the TPO affecting T4 to be unnecessary and that the imposition of the order prevents the attachment of a bird box or aerial zip line.

Bird or bat boxes can be fixed to a tree subject of a TPO, so long as it is done in a manner sympathetic to the tree, i.e. there are no ligatures fixed around the stem or branches of the tree which in time would have the potential to cause irreparable damage to the affect structures. Any existing boxes can continue to be maintained, so long as they are not attached by ligatures.

With regard to an aerial zip line. There was no such structure fixed to the tree at the time the order was served. The attachment of structures to any tree protected or otherwise has the potential to adversely impact upon tree health, vitality and safety in the future. Certainly, the attachment of cables around the main structures of T4 would be unacceptable because of the potential threat to the future health, vitality, safety and long term sustainability. The imposition of the TPO does not prevent the area of "garden" from being used for recreational purposes. There are indeed a great many trees subject of TPO's that are established within private domestic gardens across the district which do not adversely impact upon the owner's enjoyment of their outdoor space.

3. The assessment of T4 along with trees T1-T3, came about following the removal of two similarly large mature sycamore trees from within the "front garden" area of your property. You have stated that one of the two trees felled was in fact dead. However, when I visited there was no evidence of a dead tree amongst the numerous branches and timber still present on site. In addition, you confirmed that the second tree was felled because of an existing conflict with overhead utility services - Many trees can be successfully pruned to alleviate conflicts to avoid any direct contact with overhead service lines. Evidently, this mature tree had co-existed with the overhead line for multiple decades before.

Of course all of the trees now subject of TPO 615(2017) could have been felled at the same time. However, the fact that they were not does not mean that they could not be removed at some later date. The loss of two large landscape trees serves to highlight a potential vulnerability of the remaining trees. The fact that the remaining trees were assessed several weeks later is more a reflection of existing Council workloads and nothing else.

4. The relationship between neighbouring residents within the wider Ashton Hall Estate is not a matter for the Council. Moreover, the concern of the Council is the assessment of existing trees and their protection where it is deemed justifiable. Lancaster City Council carried out an objective approach and assessment to the trees in question. The Council found the protection of trees T1-T4 to be a justifiable course of action in the interest of amenity and wildlife benefit.

Following your consideration of the above. I would be grateful if you would confirm your intention as to whether you wish to maintain your objection or withdraw your objection against the inclusion of T4 within TPO 615(2017).

Please respond by no later than 13th October 2017. If we do not hear anything by this date we will assume that you are satisfied with our response and do not wish to proceed to a formal TPO Appeal Hearing.

Yours sincerely,

Maxine Knagg

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