

Emma Hood - Principal Arboricultural Officer
Environmental Planning Team
Development Management
C/O Delamere House
Delamere Street
Crewe CW11 2LL

Our Ref: CW/11624-OBJ-1
Your Ref: TPO/002/24/TPO/OBJ

11 February 2025

Dear Emma

THE CHESHIRE EAST BOROUGH COUNCIL (KNUTSFORD – 82 KING STREET) TREE PRESERVATION ORDER 2024

Thank you for your letter of 27 January in response to my client's objection to the tree preservation order (TPO). Please see below our follow-up comments:

1. **'.....the Principal Heritage and Conservation Officer had expressed the view prior to service of the TPO that the tree contributes to the character and appearance of the CA [conservation area]'**
2. **'Further to receipt of this objection, a request was made for this view to be expressed in writing.'**

Had the Tree Officer considered the Heritage and Conservation Officer's opinions material to the decision to make the TPO, it should have been included in the Amenity Evaluation Checklist (AEC). That the Tree Officer now considers that the AEC requires additional retrospective information to justify making the TPO shows that the original justification is questionable and the AEC is insufficient.

3. **'An assessment has been carried out which considers the tree's suitability for a TPO which includes an assessment that takes into consideration the proximity of the tree to properties (TEMPO Assessment Part 1 b).'**

The TEMPO assessment post-dates and is not included as part of the AEC, so should not be relied upon retrospectively to justify the decision to make the TPO. Had the Tree Officer considered a TEMPO assessment to be material in respect of justifying the decision to make the TPO, it should have been included with the AEC. This shows that both the AEC and the Tree Officer's Landscape Appraisal are insufficient and the original justification is questionable.

4. **'The Council's decision to make the Order is based on questionable landscape.....judgements made by an arboriculturist and apparently without the benefit of suitably qualified expert opinion.'**

Comments around the Landscape Appraisal that the Tree Officer has relied on in justifying the TPO and the absence of qualified landscape advice in the AEC assessment and the Landscape Appraisal have not been addressed and are still valid.

5. The TEMPO assessment.

Part 1 Section d) (other factors) of the Tree Officer's TEMPO assessment lists the tree as having 'none of the above additional redeeming factors', which suggests it has no 'significant historical.....importance'. This directly contradicts the Principal Heritage and Conservation Officer's advice, and the Tree Officer's AEC conclusions that the tree makes 'a valuable contribution to the Conservation Area', that it contributes 'to the setting of a Listed Building, and that it has 'Historical Associations'. On this basis, reason c) in the Regulation 5 Notice, which states '*To maintain the.....historic character of Knutsford (Town Centre) Conservation Area*', cannot be justified.

On the basis of the above, the Tree Officer's AEC assessment is insufficient, its findings and conclusions are questionable, and it cannot therefore be relied upon to justify the Council's decision to make the TPO.

The Council's decision to make the TPO is based on insufficient, contradictory and questionable information.

- My client requests that the Order is not confirmed.
- My client requests that the Council takes into account the objections contained herein when deciding whether or not to confirm the Order and when giving weight to the Order in relation to any future planning applications, appeals or negotiations.
- The representations, objections and opinions, actual or implied, contained herein are given without prejudice to any future interest, of any party, in the land affected by the Order.

Yours sincerely



Glyn Thomas

Cheshire Woodlands Limited