

OBJECTION 1

6 MAY 2022

Wilmslow
Cheshire
SK9 5NQ

4th May 2022

Emma Hood
Arboricultural Officer
Environmental Planning
Cheshire East Council
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

Ref: TPO order 2022, verge opposite 136-156 Altrincham Road, Wilmslow

Dear Ms Hood,

This is notification of my strong objection to the above order.

(1) First of all, if the council had kept the trees in good order by pruning and maintaining frequently, then the trees would not be in the mess they are today. The trees I assume were originally planted to provide screening/buffering (visual/noise) and yet they are now way above the height of the properties they are supposed to screen. * See your own pictures Looking north at G1 and T1 – any benefit would be from the branches and leaves of the tree and yet, as you can clearly see they have been allowed to massively overgrow.

Amenity Evaluation Checklist, point 5: an error of your answer 'no' to the question 'Is there any obvious evidence that the trees are currently causing any actionable nuisance'..

* Due to the overgrown state of the trees, our properties are now being damaged (Our roofs are full of moss, lichen and leaves) therefore causing damage to the roof and gutters of the properties. I myself have had to replace the roof due to the damage caused by the moss from the trees and restructure some of the drainage system at the front of the property due to fallen leaves.

* Due to the overgrown state of the trees and no ongoing maintenance by the council, cars are being damaged by the sap falling from the trees and branches growing around power cables.

* During bad weather and high winds the road becomes dangerous due to falling branches on either side of the road causing damage to resident's vehicles and a danger to traffic on the main Altrincham Road, simply because the council have not kept up with regular pruning.

(2) Our children play out and cycle on this road and it is becoming dangerous for them and members of the public using the road, especially during times of bad weather, because the council have not

kept up with regular pruning. Although duly noted that the council suddenly appeared 2021 after many complaints but still left branches overhanging over the road!

(3) According to the RICS some of these particular trees should be 30m from a house/structure for safety and to reduce the risk of root damage, ground heave and subsidence. Our houses are approximately 10m away. Again, the council have allowed these trees to overgrow and they will continue to grow and cause damage as per your amenity evaluation checklist, point 5 and because they are so overgrown, us as residents are not seeing any benefit as the bulk of the tree is too high.

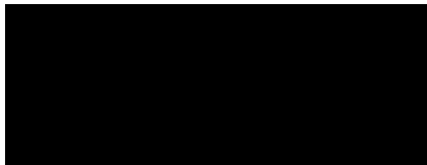
(4) Error in Amenity Evaluation Checklist, point 12 - the land is not owned by Cheshire East Council as I believe it is on the deeds of my house ownership. Please see HMRC land registry records.

(5) Error in Amenity Evaluation Checklist, point 10, b – the council barely look after the trees at the moment so with a TPO order they no longer can, therefore more safety issues, damage and nuisance to residents and members of the public wishing to use the road.

Overall, the trees in question are barely doing anything to benefit the residents of Altrincham road or the main road users. Cheshire East Council do not want the cost of the upkeep of these trees and therefore request the said TPO in order to cut ongoing expenditure at the cost of us residents, our safety and the safety of our homes.

I am not a tree surgeon but I suspect that due to the height of the trees, they are no longer any benefit to us residents and without further works being carried out sooner rather than later, they will continue to cause damage and they are on an incline embankment so a serious accident is just waiting to happen should this TPO order take effect.

Regards,



(Home owner & resident of Altrincham road)

OBJECTION 2

WILMSLOW,
Cheshire,
SK9 5NQ

06/05/2022

Emma Hood
Arboricultural Officer
Environmental Planning
Cheshire East Council
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

RE: Cheshire East Borough Council (Wilmslow – Verge Opposite 136-156 Altrincham Road) Tree Preservation Order 2022

Dear Ms Hood,

Regarding the provisional Tree Preservation Order in force, I would like to make a number of objections. These are all a result of the trees not being maintained and growing out of control.

- Branches have grown over our telephone line causing issues with the internet connection
- Fallen leaves as a result of branches hanging over our drive have blocked our gutters and drains leading to flooding during heavy rain
- Fallen branches during heavy winds have been a serious danger to ourselves, our children and our vehicles
- Damage to our vehicles parked in our driveway as a result of tree sap caused by branches overhanging our drive
- The TPO itself states that the trees are expected to cause an actionable nuisance

I would also like to highlight a number of errors in the TPO Schedule:

- The trees do not sit on council land, the land is contained within our freehold
- The council have incorrectly answered the question as to whether the trees are causing a nuisance – the answer is yes, they are causing and have caused a nuisance

Yours sincerely,



9 MAY 2022

OBJECTION 3

6 MAY 2022

Wilmslow
Cheshire
SK9 5NQ

5th May 2022

Arboricultural Officer
Environmental Planning/
Cheshire East Council
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

Dear Sir/Madam

Re: Tree Preservation order made against Wilmslow - verge
opposite 136-156 Altrincham Road

As the homeowner of 148 Altrincham Road I am writing
to object to the tree preservation order. My reasons
are as follows

- Firstly safety to residents, I have a 7 month daughter who will grow up in this beautiful area but the risk of falling branches from the trees is a worry. This has been highlighted recently by a neighbour receiving car damage.
- The vast amount of leaves shed by the trees makes paths and driveways very slippery not to mention affecting the drainage.
- I am against the TPO but believe the trees should be kept at a safe and reasonable size. I would also not be in favour of completely removing.

Thank you for considering my letter of objection
and hope to hear from you soon.

Yours faithfully

OBJECTION 4

TREE PRESERVATION ORDER: VERGE OPPOSITE 136-156 ALTRINCHAM ROAD, WILMSLOW, SK9-5NQ

Objections to the above proposal.

Date 25-04-2022

29 APR 2022

Wilmslow
Cheshire
SK9-5NQ

Dear Emma,

I trust you are well.

It has been brought to our attention that Cheshire East Council have placed a Tree preservation order on a group of trees (T1, G1 & G2) standing on the verge of land opposite houses 136-156 Altrincham Road, Wilmslow, SK9-5NQ.

Under the legislation covering TPO's we would like to exercise our rights to raise legitimate objections to the confirmation of the above TPO for the reasons as set out below, and trust that they will be heard and sensibly acted upon.

We have lived at the above address for nearly 9 years and over the last 3 years have had a catalogue of damage to our property caused as a direct result of the aforementioned group of trees and in particular the one opposite our home being left without any sort of sensible management programme in place. If I could respectfully ask you to read the below objections in the hope that you will better understand the situation

Recently we have had to spend £5000 to have our house roof renewed as a direct result of moss and lichen growths a result of the height/size of the trees blocking sunlight for most of the day, and which has grown beneath the roof tiles causing them to fail and the roof to leak internally.

In late 2019 we had a catastrophic leak into the front bedroom of our home as result of masses of leaves which had gathered in the rain water gully and caused rain water to cascade into the cavity of the wall and soak through to the bedroom, this cost nearly £3000 to rectify.

In 2020 I was struck by falling dead wood from the tree whilst cleaning one of our cars following a period of blustery weather, we are now so worried that this could happen again only striking one of our children that we will not allow them to play out at the front of our home.

Also, under the same section there is a statement "species suitability for the site" which is answered "fairly suitable" – following discussions with The Association of British Insurers (ABI), The Royal Institute of Chartered Surveyors (RICS) and The Royal Horticultural Society (RHS) it has been clearly documented that a mature oak tree should be a minimum of 30 meters from a building to prevent the possibility of subsidence, ground heave and damage from the tree falling, the trees under T1, G1 & G2 are all mature and sit between 11-13 meters from the properties, therefore we would suggest that they are not fairly suitable (at their current height/size), they would be completely unsuitable for the site at their current height/size. We also object to the TPO being confirmed based on 'Amenity' grounds as there is no legal definition of amenity as per legislation and the trees in their current state actually make the road look unkempt and scruffy, if they were properly maintained and had a tree management programme in place instead they would have a better 'Amenity' value, rather than being left to out grow their situation and cause an ongoing statutory and actionable nuisance, something which negate the risk of further damage to the residents whom live below them. For the avoidance of doubt, we certainly do not want the trees to be removed entirely, more that they be pruned to a more suitable size so that the current damage, nuisance and potential risk is mitigated somewhat, and that they become more in keeping with the small strip of land on which they sit and with the homes below them. This would maintain the road frontage. Sadly, the trees do not provide any sort of screening from the pub and hotel directly opposite or the patrons cars who's headlights continually shine through our lounge window every night, nor do they act as any sort of noise barrier from the pub noise late of an evening or from passing Road traffic either.

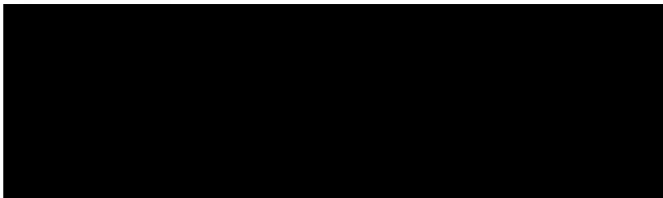
Under section 5: Exemptions (TCPA 1990): There is a question "Is there any obvious evidence that the trees are currently causing any actionable nuisance" and is answered "No". I'm sure now you have the background information on the problems/damage the trees are currently causing, you can see that this statement is absolutely incorrect and they are currently causing a statutory actionable nuisance. There is also another statement directly below the one mentioned previously which reads "Based on the trees in their current locations, is the likelihood of future actionable nuisance reasonably foreseeable" and thankfully this is answered "Yes" so one could only assume that the problems the trees are currently causing and which the council were unaware of at the time the Amenity Checklist was compiled, are in fact the actionable nuisance which could be reasonably foreseen during the amenity checklist compilation. Still under the same section heading, another statement "Based on the trees in their current locations, is the risk of future damage reasonably foreseeable?" This question hasn't been answered but again, you are now aware of the issues we have had, we are also not alone with the damage issues, other neighbours have had damage to their properties/vehicles.

Under section 4 – management: there is a question " Are the trees currently under good arboricultural or silvicultural management" and is answered "yes" – it was confirmed to us in writing that Cheshire East Council will only maintain the trees (T1, G1 & G2) if they are dead, diseased or decayed and stated that they were not, so therefore there is no maintenance programme in place on these trees, no intention to put one in place nor has there been for over 10 years. The only time the trees have been attended to was following a visit by a council official regarding the refuge collectors vehicle & taller vehicle being struck by very low hanging thick branches and a crown lift was performed but this was 3 years after the council became aware of the issues.

This concludes our objections and we hope that you will take a sympathetic view of our situation, and would like to thank you for taking the time to read through our letter and the problems we are having.

Wishing you all the best, and we look forward to hearing back from you soon.

Kindest regards



OBJECTION 5

25 APR 2022

Wilmslow SK9 5NQ

22/4/2022

re: Tree Preservation Order
on trees opposite no. 136-156 Atteringham Road.

For the attention of Emma Hood,
Arboricultural Officer.

I wish to place on record my objection to the placing
of a Tree Preservation Order on all the trees marked on
your diagram.

Reasons:

These trees can no longer be called an amenity. If any
of them loses a branch on to this street, or on to the A538
on their other side, it will cause some trouble. If one tree
falls towards the houses, not impossible in our turbulent
winter weather, it will cause great damage as far as the
frontage of any house opposite. It should be noted
these trees are now too tall to be so close to residential
properties, on one side, and a main road on the
other.

The trees have been neglected and have
grown unchecked for many years. They are,
in my opinion an actionable nuisance.

I therefore recommend that the confirmation
of the Tree Preservation Order is not granted.