

## COMMENTS RECEIVED FROM OBJECTORS TO THE SERVING OF THE TPO

### **Borough Councillor for Ashridge Ward (05/09/19 Cllr Douris):**

I write in support of Dan Graham's objection to this proposal and share the same views that he has expressed in his letter to DBC dated 28<sup>th</sup> August.

### **Home Farm Lodge, Little Gaddesden:**

28/08/19

I write in response to your notice of the making of the above TPO. The three trees identified on the plan have for a number of years been of concern to me and the owners of the adjacent properties as in our view they constitute a real threat to our properties. This has not been reduced by the recent minor works to T1 and T2 carried out on behalf of the National Trust.

In consequence of many years of, inadequate or any proper, management of the woodland these trees have been permitted to grow on the road side as opposed to the woodland side of the bank opposite the cottages. Furthermore as will be apparent from any proper inspection each of them is growing at an angle and is now of a height which makes it inevitable that should it fall it would cause substantial damage to properties on the other side of the road namely our properties.

Far from "providing considerable amenity value" these trees are a disaster waiting to happen and as soon as they are removed the better. The woodland between these trees and The Golden Valley is of considerable amenity value in particular the woodland the other side of the bank which contains Beech and Oak of merit which would in time fill the gaps left by the removal of the three trees.

I accordingly object to the making of the Order and request Dacorum Borough Council not to confirm it.

25/10/19

Thank you for your letter dated 10<sup>th</sup> October in response to my letter of 28<sup>th</sup> August objecting to the proposed tree preservation order for the three Oaks opposite the four cottages alongside Nettleden Road at Home Farm.

Nothing you say in your letter persuades me as a layman in arboricultural terms that the three oaks in question do not pose a considerable threat to the cottages despite regular inspection. In particular your statement that, "the field of arboriculture does not accept that growing at an angle is in itself considered a defect or one which would lead to mechanical failure" seems totally to ignore gravity and Newton's Laws of motion.

Clearly growing at an angle shifts a tree's centre of gravity from being wholly contained within the trunk to, in these cases, wholly outside it thus placing strain on the trunk itself and the roots which they would not normally endure.

In your letter you state that the trees offer amenity value owing to their high visibility and stature within the landscape of Little Gaddesden. The trees are visible over a distance of less than 100 yards and only have stature because they are so close to the road. Removal of the trees would not cause any or any material loss of amenity value given the surrounding National trust woodland.

I see no reason to withdraw my objection to the TPO. The trees have been allowed to grow in the wrong place by the National Trust as a result of a lack of proper management of the woodland in the past. The recent light trimming of the trees has in no way alleviated our fears.

I also fail to see why there is any need for a specific TPO when the trees in question are all within the Conservation Area which I understand means that all trees within the area are treated as being subject to a TPO.

**Laurel Bank, Nettleden Road, Little Gaddesden:**

15/09/19

I strongly object this order. The tree opposite my house, Laurel Bank, is dangerous and is a threat to the safety of my property and family. My neighbour at Shepherds Cottage has been liaising with the National Trust, prior to the TPO, regarding the safety of the trees and the necessary works that are required. The National Trust agree that works need to be done to the tree and that it is indeed dangerous to properties and their residents. Contrary to the tree having 'considerable public amenity value', the National Trust have categorized the tree in their 'High Risk' zone thereby concluding that the tree opposite our properties is most likely to cause damage to property and/or life.

I understand from my neighbour that the National Trust agree that whilst preserving the heritage of the trees is a priority they have a responsibility to ensure the safety of our families and plan to perform a necessary reduction to the tree. If the tree opposite my house fell on my property causing structural damage and/or personal injury or death of a family member then I would have no choice but to commence legal action against Dacorum Council for financial damages and I will legally pursue individual relevant council employees for corporate manslaughter.

I sincerely hope that the Council review their decision to implement a Tree Preservation Order and furthermore agree to the necessary works to the trees to ensure the safety of local residents and our properties prior to the winter weather.

**Shepherd's Cottage, Little Gaddesden (27/11/19 Mr Buchanan-Burrow):**

16/09/19

I am in receipt of your letter and associated documents dated 19 August 2019 informing me of the temporary tree protection order you have placed upon the tree opposite my house and I must object most strongly to any such measure.

For the last year we have been in correspondence with the National trust concerning how much work should be undertaken to this tree to make it safe for us and our adjoining neighbours.

As custodians of our heritage, be it buildings or estates, the National trust have a responsibility to do everything within their power to ensure this heritage is preserved for future generations.

The Trust have stated however that whilst this preservation is of great importance to them, their over-riding concern must be for the protection of human life on their land. As such, the tree in question is categorised as very high Zone 1 which means it is certain to cause damage to property and possibly life if it were to fall, as it is very near to residential properties. It is for this reason that the Trust's

current application is to reduce the height of the tree to below the height of our houses, probably by carrying out a coronet cut and make a “significant reduction” to the height.

The tree opposite Laurel Bank and Shepherd’s Cottage leans at an angle of some 40 degrees from the vertical and grows out of the side of a bank so the roots do not even penetrate straight down. As the ground next to the tree is a large ditch, it become alternatively water logged when it rains then hard when it dries out such that the stability of the ground is also threatened.

Were it to fail the size of the tree would mean that it would completely demolish our houses, which are of historic interest and could cause life threatening injuries to the occupants. If this were the case my estate would seek legal compensation from the Council for both losses.

If the Trust’s first concern is for the protection of life, should the Council not follow suit? We are not asking for the tree to be up rooted, merely reduced to a safe height.

I assume that whilst the Council make their final decision, the Trust are still permitted to prune the tree in accordance with the original planning permission granted last January.

I hope however that the Council seriously reconsider their current position, put themselves in our shoes and approve the application to carry out the more significant work to the tree so we and our neighbours are not under this permanent threat.

20/10/19

With regards to your letter dated 10 October 2019, I would respond as follows.

All trees may be superficially inspected annually above ground but that is not where the problem will lie. No one has investigated below ground by carrying even the most cursory inspection. The Trust however have sufficient concern to record in writing that the trees should be subject to “significant reduction”.

Had such an inspection taken place, which clearly it has not partly due to the overgrown stinging nettles covering the area, it would have become apparent that the ground is waterlogged, a common occurrence, but then in summer it dries and shrinks and therefore its ability to retain a root structure is vastly reduced.

Further, how can a tree growing out of a bank be structurally sound? The reason the tree is growing at an angle may in part be due to the fact that it is seeking the light as you say, but more significantly it is purely because it first seeded in the bank and was therefore forced to grow at an angle. The other similar trees to which you refer are inevitably giving similar concerns to other residents.

If your inspection had been that thorough, you would also have noticed that in fact the tree opposite my house has not recently been pruned, for whilst the Trust did prune the other two trees in the area, they delayed the work to my tree awaiting this approval so all intended work was carried out in one operation.

Whilst varying qualities of inspection may take place annually, earlier this year they did not stop a significant bough falling across a bridle path opposite my house, which would undoubtedly have caused loss of life had anyone been unfortunate enough to walk underneath it at the time.

I note you refer to possible “significant property damage” but make no reference to the possibility of “significant loss of life”, or is this of no concern to you? How can you take the ‘balance view” to which you refer when judging human life against a tree? This may be a risk you and your insurers are happy to take, but I am not.

I did not request the felling of the tree, but merely sought to have it reduced in accordance with the plans of the National Trust.

I therefore do not agree with your stance and do not withdraw my objection. All my comments still apply.

27/11/19

I acknowledge receipt of your letter dated 13 November 2019 and note its contents.

I also note that your decisions are based purely upon visual evidence above ground but that no investigation has been taken below ground.

From a quick inspection of other recently fallen trees in the area, there would appear to be no above ground evidence of possible decline in the canopy either but still they fell, so your argument gives me no comfort.

Perhaps if you could send me a copy of your technical report it might help to allay my fears, failing which I and my neighbours look forwards to having the opportunity to discuss the matter more fully at your January hearing.