

Legal And
Democratic Services

Gulley Row
Merton
Oxon
OX25 2UH

18 MAR 2011

12/03/11

Ref: Tree Preservation Order (No.5) 2011.

Walnut tree at 4 Gulley Row, Merton.

Dear Sir,

We write to raise our objection to the temporary TPO placed on the walnut tree in the Garden of 4 Gulley Row, Merton. We wish to challenge the view that a TPO is necessary and ask that our views and evidence be considered when making any further decisions regarding this matter.

We have been owners of the property where this tree stands for the past 20 years. During this time we have maintained and cared for the said tree without the need or desire for a TPO. This can be confirmed by inspection of the tree. We have undertaken various amounts of tree surgery to maintain the tree. The council has been telephoned on each occasion and we have been told we have no restrictions.

Our plans were to have extensive work carried out on the tree in March whilst the tree was dormant and a number of tree surgeons had been asked to quote for various amounts of work. Part of the quote was to enquire the cost of felling the tree, as it is prudent of us to ensure we have sufficient funds to do this if necessary and we had not enquired about this for a considerable number of years. Unfortunately a neighbour without speaking to us raised the need for an immediate TPO. Of course no work can be carried out on this tree without giving neighbours significant notice as the power supply to homes needs to be cut off for a considerable number of hours which we arrange via the electricity board. No work had been agreed.

We wish to challenge the TPO on the following grounds and question the amenity value:
We believe the tree offers limited amenity value:

- There is limited visibility of the tree due to the nature of the village layout, one long straight road through the village with houses either side. The tree is set back from the road and is partially covered by a large hedgerow. The tree is only partially visible to a few houses in the village (Gulley row and houses opposite)
- The tree offers no value of screening
- The tree is too large for a small cottage garden and has even with regular pruning has outgrown its surroundings
- It has significant impact on the wider community due its proximity to both electrical and telephone services

There are 9 telephone wires running through the branches of the tree to all the houses in Gulley Row. The telephone lines are broken on a regular basis by the branches of the tree. My own telephone wire has been broken twice in the last few years. Also the telephone wire to [REDACTED] (please see attached letter of complaint from [REDACTED] dated 24/11/10).

When the wires are broken it represents a considerable Health & safety risk due to the remoteness of the village and therefore the need to have a reliable telephone line is essential. Also most residents of Gulley Row have internet access and some work from home. BT have tried to alleviate the problem by installing a longer telegraph pole but I think the limit of extending the telegraph pole has been reached.

There are also 3 three electrical wires running through the branches of the tree. These have been broken in the past by the branches of the tree causing considerable inconvenience to all the houses in the road. This is also a serious health and safety risk as a result of one breakage caused a fire, which resulted in the local fire brigade being called. There is also the danger of electrocution from broken electrical wires. (please see attached letter of complaint from [REDACTED] dated 24/11/10).

The tree is too big for a small cottage garden. The tree is only 3 metres from the house and the height of the tree now greatly exceeds the height of the house. The branches extend over the roof of the house and caused damage to the roof tiles. In the summer the foliage is so severe that it blocks a considerable amount of daylight coming into the house. It drains all the surrounding area of light and nutrients for other plants.

Because of the size of the tree the root system must be of considerable size. If the roots under ground are as big as the branches above they must extend under the houses. To date there has been no sign of any damage or subsidence due to the root system but this is causing considerable concern for all our neighbours (please see attached letter of complaint from [REDACTED] dated 24/11/10).

In summary the tree is too big for a small cottage garden. It is a health & safety risk due to the issue of broken telephone and electrical cables. It offers limited amenity value for the village and has caused concern for my immediate neighbours see attached letters from [REDACTED] dated 24/11/10 and 11/02/11. A TPO only delays our ability to prune the tree as and when necessary.

We have met with Mr. Brewin Arboricultural Officer and have discussed our needs to have the tree pruned to alleviate our concerns in the near future (we are awaiting planning permission). We believe a TPO will delay any further necessary work in the coming years.

We look forward to hearing from you.

Yours sincerely,

[REDACTED]
[REDACTED]

Redacted

1. *[Faint, illegible text]*
2. *[Faint, illegible text]*
3. *[Faint, illegible text]*
4. *[Faint, illegible text]*
5. *[Faint, illegible text]*

[A large diagonal line drawn across the page, likely indicating redaction or a section separator.]

Redacted

[A large diagonal line drawn across the page, likely indicating redaction or a section separator.]

[Faint, illegible text]

- [Faint, illegible text]*
- [Faint, illegible text]*
- [Faint, illegible text]*
- [Faint, illegible text]*

Redacted