

Legal And
Democratic Services

-2 JUN 2010

Fox Cub Cottage
High Street
Charlton on Otmoor
Kidlington
Oxfordshire
OX5 2UQ

Tel: 01865 331462

Legal & Democratic Services
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX5 2UQ

31 May 2010

Dear Sir

**The Cherwell District Council Tree Preservation Order (No. 13/2010)
Sycamore Tree at The Old Dairy, High Street, Charlton On Otmoor, Oxon, OX5 2UQ**

We are writing to object to the above tree preservation order and enclose a document stating our reasons for objecting to the making of this order.

We also enclose for your information a copy of a report prepared by an arborist in connection with the planning application.

Yours faithfully



**T M Pollard
P A Blackwood**

TREE PRESERVATION ORDER (NO.13/2010)

Sycamore tree at The Old Dairy, High Street, Charlton on Otmoor

REASONS FOR OBJECTION

1. **AMENITY VALUE**

In order to warrant a TPO the tree has been considered to have a "High" amenity value. There is no particularly outstanding amenity value of the tree, yet the tree has been awarded a Score of 3 under TEMPO Guidance for Public Visibility.

The tree is sited in a private garden at the rear of the Old Dairy. It has a very limited view and is not noticeable from the public highway unless specifically looked for.

The tree effectively robs that property (The Old Dairy) of daylight to habitable rooms and effectively shades that garden and also the adjoining garden of Fox Cub Cottage. The tree is approximately 1 meter from the boundary wall between these two properties and reduces the amenity and enjoyment of the rear garden at Fox Cub Cottage quite considerably by shading 75% of the garden for the majority of the day. Both The Old Dairy and Fox Cub Cottage are well over 100 years old, whereas the tree is approximately 60 years old.

2. **CONDITION AND HEALTH**

The tree is a common sycamore tree (*Acer pseudoplatanus*) and has been very little disturbed during its lifetime. However, this is due to lack of positive management rather than intent.

There are many other sycamore saplings present in the garden of The Old Dairy, which also are not being managed properly, and unless some active management is taken in the near future, the whole garden will become overgrown with sycamore trees.

Please note that this is a residential garden and should not be allowed to regress into woodland. The close presence of the saplings to the subject of this TPO may also seriously affect the health and condition of the tree itself.

Currently, there are overhead electricity cables running through the crown of the tree.

These cables supply electricity to properties on High Street, including The Old Dairy.

In the near future, several mature branches will need lopping in order to protect the electricity supplies to these properties.

The drains from Fox Cub Cottage run at the rear of that property, within the root protection area of this tree and are clearly at risk of invading roots from the sycamore. Quite likely, The Old Dairy is in a similar situation.

3. **OTHER FACTORS**

The tree receives a Score of 2 under TEMPO Guidance for good form and being rare of unusual specimen. As stated above the sycamore is a common sycamore – *Acer pseudoplatanus* which cannot be considered rare.

4. **EXPEDIENCY**

The tree receives a Score of 3 under TEMPO Guidance yet there is no threat to the tree from the owner of Fox Cub Cottage.

The planning application for Fox Cub Cottage is for a small Porch and Storage Sheds at the rear of the property, with shallow raft foundations which will not pose any threat to the sycamore tree.

5. **CONCLUSION**

The sycamore tree which is the subject of this TPO, is not a suitable tree to be so close to these old properties which lie within this Conservation Area. It is there only because of mismanagement. It is not an unusual specimen and is more in danger from the negative management of its surroundings than from any other threat. It is causing loss of daylight

and amenity to The Old Dairy and loss of amenity and enjoyment of the garden to Fox Cub Cottage.

It is highly likely that in the very near future some branches will need lopping to protect electricity supplies to properties on High Street, including The Old Dairy. The roots of this tree will almost certainly affect the drains of some properties on High Street at some time in the future, if not already doing so.

The tree already has protection as it is within the Conservation Area. We do not agree that it is a suitable subject for a Tree Preservation Order.

**T M Pollard
P A Blackwood**

31 May 2010