

# Public Document Pack

Legal and Democratic Services



**To: All Members of the Planning Committee**

Dear Councillor

## **PLANNING COMMITTEE - THURSDAY, 8TH NOVEMBER, 2018**

Please find attached the following annexes for the meeting of the Planning Committee to be held on Thursday, 8th November, 2018. These were not included in the original Agenda pack published previously.

1. **TREE PRESERVATION ORDER 461 - 70 BRACKEN PATH, EPSOM KT18 7SZ** (Pages 3 - 8)

Annex 4 – Tree Evaluation  
Annex 5 – Data Sheet  
Annex 6 – Objection Letter 3

For further information, please contact Sandra Dessent, tel: 01372 732121 or email: [sdessent@epsom-ewell.gov.uk](mailto:sdessent@epsom-ewell.gov.uk)

Yours sincerely

A handwritten signature in black ink, appearing to read "K. Beldan".

Chief Executive

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**SURVEY DATA SHEET & DECISION GUIDE**

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<b>Tree details</b>
TPO Ref:            T1 TPO 461

**Part 1: Amenity assessment**

**a) Condition & suitability for TPO:**

Refer to Guidance Note for definitions

- 5) Good                    Highly suitable
- 3) Fair                    Suitable
- 1) Poor                    Unlikely to be suitable
- 0) Unsafe                Unsuitable
- 0) Dead                    Unsuitable

<b>Score &amp; see report</b> 5
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**b) Remaining longevity (in years) & suitability for TPO:**

Refer to 'Species Guide' section in Guidance Note

- 5) 100+                    Highly suitable
- 4) 40-100                Very suitable
- 2) 20-40                Suitable
- 1) 10-20                Just suitable
- 0) <10                    Unsuitable

<b>Score &amp; see report</b> 4
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**c) Relative public visibility & suitability for TPO:**

Consider realistic potential for future visibility with changed land use; refer to Guidance Note

- 5) Very large trees, or large trees that are prominent landscape features    Highly suitable
- 4) Large trees, or medium trees clearly visible to the public                    Suitable
- 3) Medium trees, or larger trees with limited view only                          Just suitable
- 2) Small trees, or larger trees visible only with difficulty                        Unlikely to be suitable
- 1) Young, v. small, or trees not visible to the public, regardless of size    Probably unsuitable

<b>Score &amp; see report</b>
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**d) Other factors**

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Members of groups of trees important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features

<b>Score &amp; see report</b>
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**Part 2: Expediency assessment**

Trees must have accrued 9 or more points to qualify; refer to Guidance Note

- 5) Known threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only
- 0) Tree known to be an actionable nuisance

<b>Score &amp; see report</b> 5
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**Part 3: Decision guide**

- Any 0                    Do not apply TPO
- 1-6                      TPO indefensible
- 7-10                    Does not merit TPO
- 11-14                 TPO defensible
- 15+                    Definitely merits TPO

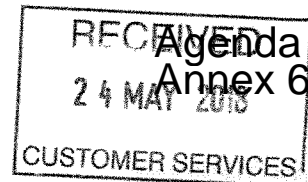
<b>Add</b> 5
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<b>Decision:</b>
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Mr Brett Middleton & Miss Michaela Hedges  
70 Bracken Path  
Epsom  
Surrey  
KT18 7SZ

Viv Evans  
Interim Head of Planning  
Epsom & Ewell Borough Council  
Town Hall  
The Parade  
Epsom  
Surrey  
KT18 5BY

22<sup>nd</sup> May 2018

Dear Viv Evans,

**Re: 17/01886/CAT**

**Tree preservation order No. 461, 2018**

We thank you for your recent correspondence dated the 10<sup>th</sup> May 2018, in regard to the application for the removal of a non-indigenous Norway Spruce situated at the front of our property.

Whilst we agree with Mr Young's evaluation that the tree in question is a "fine example of a Norway Spruce", we would argue that given the tree is already of significant height and has the potential of reaching 100 feet tall it is inappropriately situated. It is extremely close proximity to residential dwellings, not only causes concern for the potential of major damage to ours and neighbouring properties but also the possibility of loss of life, given the 4 dwellings in close proximity are all 1 storey adjoining bungalows, should the tree be damaged or blown down in adverse weather.

Mr Young, when visiting the property, advised that the tree is "not deeply rooted", thus resulting in the aforementioned concerns being viable ones. Having discussed the tree with a handful of neighbours, not just the other residents of the 4 adjoining bungalows, they share the same concern that this tree, given its size, is a potential danger to the surrounding dwellings and its residents.

In addition, and in confirmation of Mr Young's observations of the tree not being deeply rooted, the roots are clearly visible and have already uprooted some of the concrete slabs situated in the path which leads to our property, making our pathway uneven, unsafe and problematic in replacing the pathway to ensure it is safe for visitors, such as our elderly parents and other essential visitors to the property such as postal workers etc. Also the roots are lifting the recently paved drive way of No 41 Bracken Path.

We also have concerns that the tree roots are already present in the driveway of No 41 Bracken Path and are heading towards the front of the property and there is therefore a possibility of damage to drainage and foundations of the property.

I, Michaela Hedges, [REDACTED] as well as Mr Middleton, are passionate about the preservation of the area and its wildlife. Whilst we appreciate Mr Young's concerns that there is no enforcement in place for the proposed replacement tree to be managed accordingly, in view of the above and the fact that we are not prepared to invest a large amount of money for a smaller, more manageable, replacement tree to then not ensure it is adequately cared for and nurtured. Therefore we can assure you that Mr Young's concerns in this respect are unfounded.

Finally, we would refer to the agreed felling of an Ash Tree at No 66 Bracken path in 2016 (Ref No 16/00898/CAT). The justification provided by the applicant for the removal of this tree is similar, if not identical to ours (inappropriate location for a tree which has the potential to get very big).

We would kindly ask that the above concerns are taken into consideration. In the event that a recently applied preservation order is not removed and our application for the removal and subsequent replacement tree is not agreed, can we please seek confirmation from Epsom and Ewell Borough Council that any damage the existing tree may cause to the existing foundations or drainage to the surrounding dwellings or damage to property in the event of adverse weather or subsequent personal injury claims will be the liability of Epsom and Ewell Borough Council and not ourselves, given the above concerns and our request to remove the tree.

We look forward to hearing from you in due course.

Yours sincerely,

Brett Middleton

[REDACTED]  
Michaela Hedges  
[REDACTED]

CC William Scanlon, Hedges n Trees