

## Appendix 2 - Communications received and sent in respect of T2-631

Email from tree team dated 30.06.15

Dear Mr [REDACTED],

I've interspersed responses in green below with your queries to save repetition:

Thanks and appreciate your prompt reply. As these trees are under consideration for the TPOs, I would then reasonably expect copies of the reports by COB Friday 3rd July to enable me to send a comment on these TPO applications. We will get you the information as soon as we reasonably can – it has been assigned to an officer and it is added to their current workload. It is not essential to have the information you request in order to comment or object to the TPO being made as the trees are being considered for a TPO as they are now: if they become dead or dangerous in future they will be exempt so the TPO will effectively become null & void for those affected trees. Previous management (or lack of) is not the basis on which they will be assessed. Having said that, we are happy to supply the information in as timely a manner as we reasonably can given the many calls on our resources. I cannot guarantee it will be by Friday as we commonly have urgent site visits for illegal or emergency works and we cannot predict when these will be.

Our main concern is the height and breadth these trees have been left to grow considering they were planted so close to residential boundaries and the TPOs would, I believe, prohibit affected houses from pruning back W1 trees to the boundary as well as ensuring they are maintained to a smaller size as they have now become too large, anyway. The height and breadth/general size is not something that would trigger works under our current policy: we only manage trees for safety or damage, not for light/shade or other 'nuisance' or seasonal reasons. In particular, we would be very unlikely to reduce maiden (not been reduced in the past) trees as future regrowth is less well attached, more prone to failure and we have not got the resources to reduce trees on a cyclic basis that this would demand. The exception is pollards that are in a current management regime that we cannot let lapse for this very reason. If the school were to apply we would consider the application at the time – we cannot predetermine an application as there is an opportunity for other parties to object – so it is not always our decision. A panel (of locally elected councillors) may decide a different outcome to that which a tree officer suggests is appropriate. Objections from residents are taken into account. The common law rights are likely to remain unchanged - I cannot predetermine as I have just explained, but Common Law rights, especially where they have been previously exercised to no great detriment to the tree are likely to be approved unless there are very good reason why they should not be – excessive size wounds made by removing large branches for example that might reduce the long term health of a tree. The difference it will make to yourself is you would need to apply for works – stating location of trees and the works you plan to carry out – so in this case something along the lines of 'prune overhang to a height of x metres back to the boundary or to previous pruning points'. The application form is available on the website, you can apply online or send in a hard copy (form attached for ease).

FURTHER QUESTIONS:

With regards to the Council's tree management policy:

1. Can you confirm, we can send formal representation in writing by email to [trees@southampton.gov.uk](mailto:trees@southampton.gov.uk) as the closing date to receive comments is Sunday 12th July 2015, not being a postal receiving day. Yes, any objections or comments received by the due date will be considered, including those received by email. I have attached an objection form should you choose to object which can be returned to us at the address you quote. Please make clear the grounds on which you object to the TPO in your correspondence.
2. With the trees on this plan (W1) – how do I go about putting in a request for these to be brought back to a height and breadth which does not block out the rear garden skylines and interfere with our boundary with broken branches and fallen leaves? I can take this as a request, but the initial response will be in line with what I have stated above – we do not prune for light, leaf litter or size. Any damage will be considered and usually photos or a site visit will help to determine whether we can carry out works – but there will need to be a foreseeable risk – so large sections of deadwood/broken branches or branches in contact with structures for example we would manage (and in future if the school take on ownership they would manage as part of their Duty of Care).
3. Please confirm if a TPO would prevent us from arbitrary pruning & disposing of overhanging branches from our boundary including fallen leaves? Yes, it would prevent arbitrary pruning. We would consider permitting a rolling consent for overhang pruning up to the certain height/branch diameter so you didn't have to apply every time, just once in (for example) 5 years to carry out ongoing overhang pruning.
4. If so, how would we get permission to prune & dispose of overhanging branches with TPOs on these trees? As noted above, permission would be applied for using the 1 app form or online, and we would consider rolling consent to reduce the need to apply every time. Disposal of arisings is your responsibility unless the school take ownership and wish to have them (this is unlikely). They can be put in a gardens waste bag, composted or taken to a recycling centre for disposal.
5. Would Southampton City Council, being the owners the trees in W1, agree to a long overdue crown reduction of these trees causing a nuisance to the residential neighbours and also ensure they are maintained, annually to the enjoyment of all concerned? Short answer is no, for the longer answer outlined above. In addition we are currently behind with more urgent works (safety related) so if there is not safety issue the answer we simply do not have the resources available to carry out preference pruning or non-urgent works. In future the school might consider lifting (increasing the clearance of the lowest branches from the ground) to improve the appearance or perception of light, but not having seen the specific trees in question (they have been treated as a group) I cannot comment at this time or predetermine what their management policies will be.

I hope this helps clarify the situation and provides you with sufficient information for your immediate purposes,

Regards,

Sarah

30.06.15m from Assistant Tree officer in response to the request from no 46:

**From:** Miller, Ian

**Sent:** 30 June 2015 11:13

**To:** [REDACTED]

**Subject:** FW: tree inspections and jobs at Tanners Brook Infant & Junior School

Dear Mr and Mrs [REDACTED]

I am responding to your request for information about the trees at Tanners Brook Infant & Junior School by attaching the following documents:

Tree Inspection History Report  
Job History Report  
Site map

The map shows the tree record identification numbers which allow you to identify the trees in a specific area (please note 1999 code refers to a job raised on an individual tree or group that is not identified by a specific code).

The inspection & job reports are for the whole site from the beginning of 2004.

Please get in touch with the trees team if you have any further questions.

E-mail replies to [trees@southampton.gov.uk](mailto:trees@southampton.gov.uk)

Regards

Ian Miller

Assistant Tree Officer

*With the attachments as noted.*

**From:** [Kiss, Sarah](#)

**Sent:** Monday, June 29, 2015 10:57 AM

**To:** [REDACTED]

**Subject:** Request for tree information

Dear Mr & Mrs [REDACTED],

Further to your request for information, I will ask the inspecting officer/s to put together information that we have regarding the inspections: these are likely to be dates of when inspections have been carried out as we carry out defect-only reports so most trees will not have individual condition records.

It is unlikely we have records going as far back as 2000 as the recording system we use was brought into operation in May 2004 when the STORMS (Southampton Tree Operation Risk Management System) came into play. The inspections have been carried out routinely since then.

I'm afraid we will not be able to provide this by the close of play today – this is an unreasonably short deadline and we are unable to deal with enquiries of this size on the same day we receive them (given this is the first working day since Saturday 27<sup>th</sup> when the request was sent).

I will pass it on to the inspectors and ask they provide available information as soon as they reasonably can.

In the meantime, if you wish to discuss the policy under which we manage trees I would be happy to do so if you felt this might be helpful.

Regards,

Sarah Kiss

Senior Tree Officer  
Southampton City Council  
023 8083 3005

[trees@southampton.gov.uk](mailto:trees@southampton.gov.uk)

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**From:** [REDACTED]  
**Sent:** 27 June 2015 16:27  
**To:** Trees  
**Subject:** TPO Application: T2-631 - Request for Information - Sarah Kiss  
**Importance:** High

Dear Sarah,

Having come back from Holiday I have received a notice that the Trees in Tanners Brook Infant & Junior Schools) have had temporary TPOs applied to them.

This has prompted me to deal with a long standing issue with these trees about them bring kept to a managed size and due to the original close planting to the boundary of our house the shading it provides.

To help me with my submission, can I be provided with a copy of all the Arborist / Tree Surgeon "Tree Survey Report" and "Tree Risk Survey" for Tanners Brook Infant & Junior Schools since 2000, when these trees were planted (in W1). I take it the Latest report covers Schedule 1 – T1, G1, G2, G3, G4 and W1.

Also it would be helpful to be provided with copies of the Tree Works completed on the trees since 2000 to understand what maintenance, if any, has been done.

If I can have this information by Close of Business, Monday 29th June if emailed or Tuesday 30th June if posted first class.

Thanks for your help on this.

Yours faithfully

[REDACTED]  
Munro Crescent  
Southampton

A site visit was made to no [REDACTED] on the 7<sup>th</sup> July 2015 where I met with Mr [REDACTED].

Email sent to three properties who indicated concerns. 17.07.2015:

Dear all,

Mrs [REDACTED] has very kindly passed on your email addresses and indicated that you are prepared to accept the TPO for the site at Tanners Book Infant & Junior School (T2- 631)

I am writing to advise that I will be sending you hard copies of a 1APP form today with the detail filled in as far as I can: the form is a planning application so needs you to sign it personally please & return it.

I will then be able to issue (after the opportunity to object has lapsed) your properties with 5-yr rolling notices to manage the overhang in line with your neighbours, and as you have been able to up to now.

After 5 years, the form can simply be redated and sent back in for a further 5-yr and so –on, so you may wish to keep a copy.

Please be assured that it is not our intention to generate burdensome admin or to restrict reasonable works, it is simple seeking to protect the integrity of the area.

I will also send a no-objection form with the application form: if you are happy to withdraw any objections you have lodged, please return this form with the application.

If you wish your objection to stand we will contact you with information on the process for you to submit supporting statements and attendance at Planning & rights of Way meetings to present your case.

Making an application in no way prejudices your right to object.

I hope this resolves any issues, and thanks again to Mrs [REDACTED] for her communications with you.  
Kind regards,

Sarah

Cc Nos [REDACTED]

Sarah Kiss

Senior Tree Officer

Southampton City Council

023 8083 3005

[trees@southampton.gov.uk](mailto:trees@southampton.gov.uk)

[@SouthamptonCC](#) [facebook.com/SotonCC](https://www.facebook.com/SotonCC)

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Letter sent to No [REDACTED]: 26.06.15  
On headed paper.

Direct dial: 023 8083 3005  
Email: [trees@southampton.gov.uk](mailto:trees@southampton.gov.uk)  
Please ask for: Sarah Kiss

Our ref: T2-631  
Minicom: 18001 023 8083 3005

Date: 26.06.15

Mrs [REDACTED]  
[REDACTED] Munro Crescent  
Southampton  
SO15 4PB

Dear Mrs [REDACTED]

Town and Country Planning Act 1990  
Town And Country Planning (Trees) Regulations 1999  
Tree preservation order: The Southampton (Tanners Brook Infant & Junior Schools)  
Tree Preservation Order 2015

Thank you for email received today in which you have expressed concerns over the implementation of the tree preservation order (TPO) mentioned above.

As per my email of 25th of June, the council policy does not now include pruning of overhang, and still doesn't include pruning for issues such as light, seeds or leaf litter. With the pending change of responsibility for the trees from Southampton City to the school the policy regarding pruning for neighbours may be different.

We are seeking to preserve the trees because in a few instances schools have removed or carried out unsympathetic pruning works to trees, and issues such as loss of screening and reducing the amenity value of trees has resulted. I'm sure you appreciate how important trees are in the landscape.

I do appreciate the problems trees can cause: we are not seeking to stop all works to trees in the area, just to make sure that any works are reasonable. For example, without a TPO there would be nothing to stop the new managers deciding to fell all the trees to the front and turn it into parking which would be, in my opinion, detrimental to the area on many fronts. Of course - there is no suggestion that this is planned but without a TPO we would have no way of making sure trees are retained or replaced.

If you are still wishing to record an objection to the TPO being placed, there is an enclosed form to complete and return.

If you are not satisfied with my explanation, you can have the matter put forward to the Planning & Rights of Way panel for consideration. This panel is made up of

elected members who will assess my report and vote on the validity of the order and if it should be confirmed. You would be invited to attend this meeting and will be given time to present your case to the panel.

I have enclosed a form that I would respectfully ask that you complete and return to this office to either declare that you have no further objection to the above order or wish to have the matter put forward at the next available planning and rights of way panel meeting

Should you require any further information, please contact the Trees Team on the email address or number above.

Yours faithfully,

Sarah Kiss  
Senior Tree Officer

If you would like this letter sent to you in another format or language, please contact the number at the top of this letter.

Enc. Objection Response Form