

Ezri Tigan
56 Devonshire Road
Southampton
SO15 2GN

4 July 2016

Dear Chantelle

I am writing to you on behalf of Miss Beer who owns 58 Devonshire Road and myself.

On 6 October 2015 you informed me that there were no protected trees at 1 Handel Road. On 14 June 2016 you informed Miss Beer that there are no protected trees at 1 Handel Road. A copy of both of these is enclosed to save you searching for them.

You can therefore imagine my surprise when a temporary protected order was posted through my letter box. This was not that long after you informed Miss Beer that the tree is not protected. Can you explain why you tell both of us one thing and then you change it the opposite way? This does not seem like a good thing that the council is doing – it just proves they cannot make their minds up.

According to the RHS the tree roots spread out up to three times the height of the tree. As the tree is taller than our houses that is far from good news. The tree is causing damage to the boundary wall between 58 Devonshire and 1 Handel Road, therefore it will not be long before it causes damage to my wall as well. There is also the chance that the roots could cause damage to the foundations of both houses, something that would run into thousands to rectify and shore up the houses.

The Yew tree drops berries and a very sticky sap. I have to avoid going to the bottom third of my garden because of this from Autumn till spring otherwise it leaves marks in the house. Unfortunately, as Miss Beer lets the house to students it is very difficult asking them not to use the back third of the garden. As the sap and berries are very difficult to remove from shoes it means that the carpets in her house get damaged.

If the tree was in the local park it would be wonderful, but in a residential area it is far too large. If there was a storm and the tree toppled over it would cause serious structural damage to both of our houses. This would

mean that both of our houses would be uninhabitable for the duration of the repairs. Plus, this could affect not just our two houses, but other houses as well.

If you look at the back of the garden a tree between 1 Handel Road and the house in Morris Road has been removed. The owner of the house was complaining to me about the tree before it was removed. [The owner is also not aware of the rules covering bonfires as she has then in the morning – I always believed they were meant to be had in the evening to give people the chance to use their garden – but she does not care.]

If we are not allowed to do anything about the tree then can you please confirm this in writing as if there is further damage to our property and boundary walls, our insurance companies will not be happy, and this will give them the opportunity to recover their costs from the council, especially as the council is changing its mind. We will both be keeping the letters from you which state the tree is not protected.

Perhaps you would like to visit us at the properties and assess this matter. I can be contacted on 07549050261. I work part-time and cannot answer my telephone at work, so if you call on these days please try another day. I normally work Wednesday and Thursday but occasionally I have to work extra to cover holidays.

Yours sincerely



Miss Ezri Tigan

TREES TEAM

Southampton City Council
Civic Centre
Southampton
SO14 7LY



Direct dial: 023 8083 3005
Email: trees@southampton.gov.uk
Please ask for: Chantelle Knight

Our ref: 50016156
Minicom: 18001 023 8083 3005

M Beer
59 Alumhurst Road
Alum Chine
Bournemouth
BH4 8EW

Date: 14 June 2016

Dear Ms Beer

RE: 1 Handel Road Southampton

Thank you for your letter received today concerning 1 Handel Road.

Trees on 1 Handel Road are not protected.

You are allowed to prune overhanging branches back to the boundary. You may wish to get a tree surgeon out to carry out this work. Should there be any other issues you will need to contact the land owner.

Yours sincerely

Chantelle Knight
Assistant Tree Officer (Technician)

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

6.10.15

Confirm ref: 50015049
1 Handel Road - no protected trees on
this site.

Regards,

Chantelle

Trees Team

023 8083 3005

tree@southampton.gov.uk



TREES TEAM
Southampton City Council
Civic Centre
Southampton
SO14 7LY



IMPORTANT – THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

Direct dial: 023 8083 3005
Email: trees@southampton.gov.uk
Please ask for: Antony Peters

Our ref: T2-652
Minicom: 18001 023 8083 3005

The Owner
56 Devonshire Road
Southampton
SO15 2GN

Date: 22nd June 2016

Dear Sir/Madam

Town & Country Planning Act 1990
Town & Country Planning (Trees) Regulations 1999
The Southampton (1-2 Handel Road) Tree Preservation Order 2016

THIS IS A FORMAL NOTICE to let you know that on 22nd June 2016 the Council made the above Tree Preservation Order.

A copy of the order is enclosed. In simple terms, no one is allowed to cut down, top or lop without our permission any of the trees described in the First Schedule and shown on the map in the Order without the Council's consent.

For more information about tree preservation orders please see the online leaflet Protected Trees: A Guide to Tree Preservation Procedures, produced by Communities and Local Government – <http://planningguidance.planningportal.gov.uk/blog/guidance/tree-preservation-orders/tree-preservation-orders-general/>. If you need a paper copy of this leaflet please contact the Trees Team on the number or email above.

It has been the policy of Southampton City Council since 1948 to actively protect and promote the landscape features within the city boundary.

Without legal protection the long term retention of these trees is uncertain. It was considered that these significant trees should be protected as their loss would have a detrimental impact on the amenity of the area and the enjoyment by the public. The Council has surveyed these trees and considers them worthy of protection under a Tree Preservation Order.

The order took effect, on a provisional basis, on 22nd June 2016 it will continue in force on this basis for a further six months or until the Order is confirmed by the Council, whichever is earlier.

The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.