

CPD1

Benetlea

Moors Close

Great Bentley

Essex

CO7 8QL

Received On

30 JUL 2018

By Planning Services

28<sup>th</sup> July 2017

REF: 18/00009/TPO

Dear Catherine Bicknell,

We are writing to object to the Tree Preservation Order that has been placed on an Oak situated in a garden behind our property.

We are objecting on the following grounds:

1. The tree has caused damage to our garage and outbuilding
2. Damaged driveway
3. Damaged patio
4. Continuing damage to our garage
5. Potential damage to our house
6. Two house sales have fallen through to surveys showing concern about how the tree will damage/has damaged the garage and the house
7. Lack of previous TPO

The tree has caused substantial damage to the garage, the floor has a crack across it and the brickwork has been damaged too. When we purchased the house, the effect of the tree was noted:

'The garage wall and floor are affected by movement. Oak trees in adjoining land may be exerting an influence .....' Date of Inspection: 27th January 2015

We have recently put our house on the market and have sold it quickly twice. However, both sales have fallen through as the potential buyers' surveys have raised concerns about the damage already caused by the tree and further potential damage. All surveys have suggested that something needs to be done with the tree to reduce the risk of further damage. We are now in a position where the house is unmarketable unless something is done with the tree.

We have sought some advice from a tree surgeon and were advised that the tree would continue to cause damage if it was left and if we were to have the tree removed there is a slight possibility that this could cause damage to the garage as the roots may shrink. After consideration we felt that it would be more beneficial to have the tree removed as the probability of further damage being caused to the garage and house if the tree remains would be guaranteed.

Having made this decision, we then approached Pippa Drew (Great Bentley parish councillor) and owner of tree to discuss further actions. She expressed a preference to keeping the tree but

understood that damage the tree was causing and agreed that we could go ahead and have the tree taken down. She was able to confirm that there was no TPO on the tree at that time. We understand that the TPO may have been placed due to the tree's amenity value but from the main vantage point of the village green, only the very top of the tree can be seen over the top of the house.

We have enclosed some photographs that show the damage caused, how big the tree is and how it encroaches on to our property. We are very concerned that without the removal of this tree, we will affectively be living in a property that will continue to be damaged and is effectively unmarketable.

One of the documents received with the TPO notification shows the property boundaries and the tree positions. Please find a corrected drawing showing the actual boundaries and the tree position. Please also let it be noted that the tree is only 1m from our nearest outbuilding wall.

Yours sincerely .

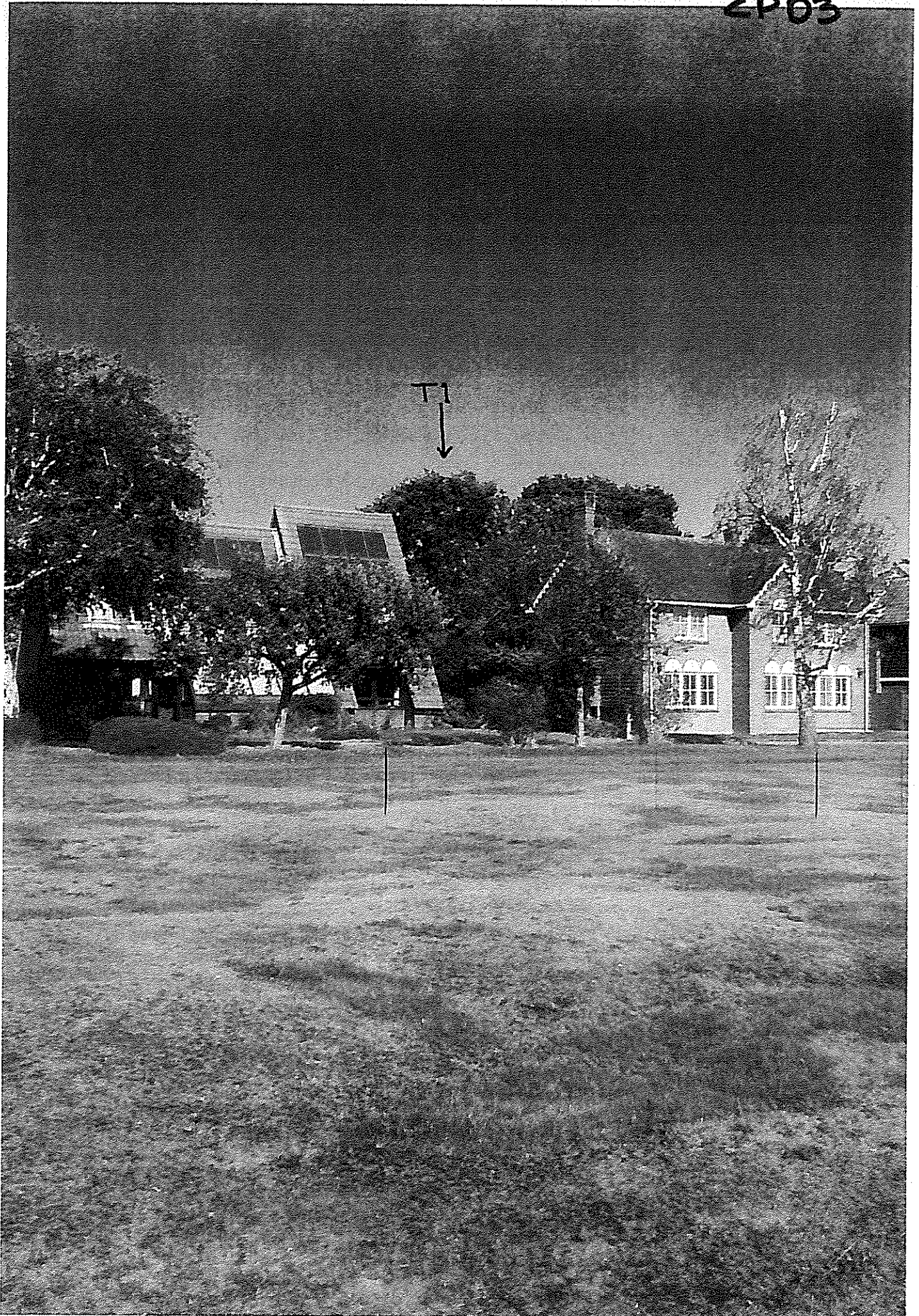
Mark and Ruth Smith

CPD 2





CP03





CPD4

