

New residents to Sunderland Borough

Ocean Park Road
Seaburn
Sunderland
SR6 8BP

Date: 8th May 2022

Elaine Waugh
Assistant Director of Law and Governance
City Hall
Plater Way
Sunderland
SR1 3AA

Dear Elaine Waugh

CC Planning Inspectorate, Sarah Richards Agency Executive The Square, Temple Quay, Room 3 O/P, Temple Quay House, 2, Bristol BS1 6PN, enquiries@planninginspectorate.gov.uk.

Objection to Provisional TPO no.179 order 2022 in respect of land at Ocean Park Road, Sunderland

We are new residences to the Sunderland Borough, having purchased properties on the Avant Lowry Park site. Please see attached signatures, which details the residences submitting these objections.

We wish to respectfully present an interim objection to the provisional Tree Preservation Order (TPO) which we were notified as commencing on 6th April 2022. No.179, with the intention to furnish a more detailed report at a later date. This will also allow residences that have yet to receive their TPO notice (due to having not moved in yet) to also comment.

We as residences of Ocean Park Road Seaburn Sunderland SR6 8BP are still awaiting access to the following documents (FOI submitted and case worker for Lowry Park advised). Please can you advise when access will be granted?

- Capital Asset Value for Amenity Trees (CAVAT) (or similar software) results and conclusions for these trees detailed in TPO No179.
 - Preplanning results and conclusions
 - During build results and conclusions
 - Post build results and conclusions
- Tree Evaluation Method for Tree Preservation order survey and report for the groups of trees situated in private gardens of 17 to 35 Ocean Park Road SR6 8BP.
- Post-construction assessment, survey and TEMPO for the groups of trees situated in the private gardens of 17 to 35 Ocean Park Road SR6 8BP

Once provided access to the above documents we kindly request the opportunity to examine and comment on them with the opportunity to come back to you to discuss and ask questions and place any further objections that may arise.

Due to delays being provided with access to public records on the Sunderland Planning portal, Sunderland Council caseworker for Lowry Park not being available, Covid-19 and other obstacles not

in our control our independent survey was not possible to obtain prior to 19th May 2022, we are sure you will appreciate and take this into consideration.

Prior to laying out our objections it is important to note that we as residents of Sunderland respect and are passionate about the trees within our properties and wish to be allowed to look after our trees, as per the covenant detailed in our deeds. We have no intention of doing anything to upset the overall balance of amenity or landscaping value and wish to maintain trees within the garden with the introduction of additional suitable and appropriate trees, hedges and shrubs.

Our objection:

Objection on five grounds

1. Object to the trees within the area labelled as A1 on the TPO map No.179, located in gardens 17 to 35 being referenced to and classified as having “...significant visual amenity to the surrounding area...”.

The trees labelled as A1 on the TPO map No.179, located in gardens 17 to 35 have been classified, ‘...This view was shared by the Council’s Arboriculturalist...’ (See appendix 2), as in decline, of low stature, of low quality and **the whole area labelled as A1 on the TPO map as having an overall low/minimal amenity value** (See Tree survey and assessments attached and accessed via https://online-applications.sunderland.gov.uk/online-applications/files/B8D39DB660BB3C743F9A22EB52D21842/pdf/16_02056_HY4-Tree_Survey-397154.pdf, plus appendix 3). This classification of the said trees was detailed **whilst the general public had full access to the trees from an open field.**

Since this time, the trees have been encompassed in all compass directions by **private** housing with negligible if not zero visual access to the general public and therefore it is unreasonable to suggest that the amenity has changed/ increased too ‘significant’.

A reasonable conclusion would be that the amenity value has in fact reduced further since the trees are now surrounded in all compass directions by private housing with no public amenity areas, roads, alleyways or pathways accessible by the general public.

- Please can you explain to us how this classification, ‘...significant visual amenity to the surrounding area...’ has been calculated for this specific area of trees labelled as A1 on the TPO map?
- What was the Capital Asset Value for Amenity Trees (CAVAT) (or similar software) results and conclusions for these trees detailed in TPO No179?
- Please can you explain in detail how it has been deemed that the area of groups of trees labelled as A1 on the TPO is visible from surrounding areas and streets, particularly considering the criteria set out in the *Tree Preservation Orders: A Guide to the Law and Good Practice Chapter 3*?
 - Please can you provide access to any photographs, videos or surveys used to ascertain the visibility of the trees labelled as A1 on the TPO map.

2. Object to the trees in the TPO being 'read alongside' other groups of trees in the vicinity which they have no connection to geographically or share quality or amenity value with. Simply the trees detailed as A1 on the TPO map in gardens 17 to 35 need to be referenced as they have been clearly classified - **low quality and low amenity value, with minimal eco impact.**

There is no discernible visibility from surrounding areas, streets, public open space areas in any compass direction, including Seaburn Recreation to the north and Cut Throat Dene to the south thus we feel strongly that they **cannot be deemed to share the significant visual amenity other areas/groups of trees hold as suggested in the provisional TPO.**

3. Object on the bases that the trees in area labelled as A1 on the TPO map, located in the gardens 17 to 35 do not meet the criteria set out for issuing a TPO as per the Tree Preservation Orders: A Guide to the Law and Good Practice Chapter 3 (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/14956/tposguide.pdf) or the criteria set out in the TEMPO.

Whilst the trees were in an open landscape and viewed from an open field by many many members of the public, the Arboricultural Implication Assessment detailed the low grade trees labelled on the TPO map as A1 as having an **overall** amenity value as 'minimal' (https://online-applications.sunderland.gov.uk/online-applications/files/B8D39DB660BB3C743F9A22EB52D21842/pdf/16_02056_HY4-Tree_Survey-397154.pdf).

This view was supported by the Council's own Arboriculturist in the, '*...EXTRAORDINARY meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the COUNCIL CHAMBER of the CIVIC CENTRE on MONDAY 9th MARCH, 2020 at 5.30 p.m, where it was stated, '...This view was shared by the Council's Arboriculturist...'*' ([Document.ashx \(sunderland.gov.uk\)](https://www.sunderland.gov.uk/document/ashx)).

Abstract - 6.5 Arboricultural Implication Assessment states '...to be minimal due to their relatively small stature and therefore low landscape impact. In addition, there are many gaps in the planting scheme (assumed to be due to removals) and large numbers of the trees are in decline. As the subject trees are of such small stature a new planting could attain a similar if not improved treescape (<https://online-applications.sunderland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OG0TDPBBK7100> – 18.11.2016 Report/Statement Arboriculture Assessment).

Trees outlined on the TPO map labelled as A1 detailed as

C	Those trees of low quality and value: currently in adequate condition to remain until new planting could be established (> 10 years)
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Page 15 of Arboricultural Implication Assessment report.

We as new residence of the Sunderland borough, question how low-grade trees now not visible to the general public, not visual from surrounding areas and streets and having been subjected to, since the tree survey, assessment and TEMPO were carried out, aging, unavoidable construction and storm damage (See appendix 4 for examples) can be deemed now to hold 'significant' amenity value. This does not correlate with criteria set in Chapter 3 of the, '*...Tree Preservation Orders: A Guide to the Law and Good Practice 3.2, 3.3 (1), 3.5* (See Appendix 1) or the TEMPO.

Notwithstanding this, Government guidelines state that public visibility alone is not sufficient to warrant an Order and advises to assess other characteristics. This Order No 179 makes no reference to the other characteristics of these groups of trees (*...Tree Preservation Orders: A Guide to the Law and Good Practice 3.2, 3.3 (2), (3)...*' (See Appendix 1).

We see no present or future possibility of the visual amenity value changing as they are now placed in private gardens not viewable by the general public, further not meeting the criteria for issuing a TPO.

As the trees have been identified as low grade they also do not meet the criteria set out in Chapter three of '*...Tree Preservation Orders: A Guide to the Law and Good Practice 3.2, 3.3 (2), (3)...*' (See Appendix 1).

1.b TEMPO states that trees with a life expectancy of less than 20 years, of which AIA identified 129 should only score 1.

An up to date assessment, recording the present day life expectancy of each tree is vital to ensure only those trees with >20 years are issued a TPO.

1.C. In the Executive summary of the AIA section 2.2 it states a young plantation and actually in section 6.5 it states the trees are considered relatively small. Elliot Consultancy Arboricultural impact assessment Section 3.2 also refers to the trees in area labelled as A1 as low quality and small. This combined with the fact that they are not visual to the general public would score them significantly low (0-1)

4. Object on the bases that the trees are already governed under a covenant which was established through the direction of Sunderland Borough Council (see appendix 2 - At an EXTRAORDINARY meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the COUNCIL CHAMBER of the CIVIC CENTRE on MONDAY 9th MARCH, 2020 at 5.30 p.m), This Covenant allows us as residences the opportunity to prune and take care of our low quality and low amenity value trees without incurring excessive, continually costs which under a TPO we will be subject to.
5. Object to the type of TPO issued, 'Area' as this style of TPO (which government have asked councils not to use) does not assess each individual tree and consider whether it meets the criteria for issuing a TPO. These trees were already recorded in 2016 as in decline and of low statue, quality and amenity. This evaluation of the trees was shared by Sunderland Council. Since then, they have been thinned further and grouped into individual private gardens and are now surrounded by private housing in all compass direction, which has either reduced visibility to the general public to negligible or zero. They have been subjected to the clay ground being

compacted, ground levels disturbed and altered creating concerns around stability and subjected to unavoidable construction and storm damage. Therefore, the residences of Ocean Park Road feel that the description of this area of trees used to issue the TPO does not represent present day quality and reflect the recorded amenity value of these trees detailed in the assessment reports.

Under an Area TPO, a big concern is that any trees we as residents invest in and plant in area A1 would also be subject to the TPO and its conditions. This will undoubtedly have an impact on the willingness by Ocean Park Road residents to plant and increase the buffer between our neighbours, which I believe Sunderland Council are wishing to encourage.

We would also like lodged our concerns for the safety of residents living at the rear of our property (SeaFields). These trees having been neglected for years, have grown **out of balance** and are in many cases dangerously **leaning westwards** towards are neighbours at the rear of our properties (Seafields). **This has been recorded in the Arboricultural assessment report.** This is compounded by the fact that the trees are situated in clay which in *section 7.3.2 of the AIA report states, '...potential of future subsidence...'* This has already proven to be the case with a tree already uprooting and placing our rear neighbours in danger. The westward side of the trees needs to be regularly pruned to encourage balanced grow and improve stability. Incurred costs from a TPO and the need to apply for planning permission puts this essential maintenance at risk.

Have the residents of Seafields been made aware the potential danger of these trees falling on their property?

It is imperative to note that in placing this objection, we are not implying we wish to remove the trees, quite the contrary, we purchased our properties specifically as we knew it would be bestowed with said trees. We are passionate about protecting our trees health and safety. Prior to Sunderland Council issuing the TPO, residents at considerable cost to themselves had already purchased and planted high quality species to add to and increase the green canopy of the area.

To place a TPO on trees which do not have an up-to-date assessment and survey would not be deemed good practice. To place a TPO on groups of trees deemed of low value, minimal amenity value would unduly place a continually ongoing financial burden on us as new residence of the Sunderland Borough, with the potential of lowering the attractiveness of future owners purchasing the properties. Such a financial impact on us as new residence cannot be justified when the trees do not meet the requirements for a TPO and are in decline and are already governed by a covenant.

It would be excessive to apply a TPO when they are already governed, protected by a covenant.

We simple wish to be afforded the opportunity to look after our trees and allowed add to the buffer without being subject to a TPO.

Outcomes

- An open meeting to allow residents to have an opportunity to discuss the provisional TPO.
- Before a decision is made regarding the TPO that post construction assessments and surveys of each individual group of trees located in the private gardens of 17-35 are undertaken. This will provide an up-to-date record of the safety, quality and amenity value of the trees and ensure that residents newly planted trees are not subjected to the TPO and only those trees that meet the criteria are issued with a TPO.
- An up to date assessment, recording the present day life expectancy of each tree is vital to ensure only those trees with >20 years are issued a TPO.
- Ideally that the TPO is removed as a covenant is already in place.
- TPO if issued is issued under a group TPO for each individual garden, thus ensuring any resident planted trees are not subject to the TPO.
- TPO if issued is modified to allow us to sensitively prune the trees without planning permission.

We are passionate about our environment and take our role within our **new** community very seriously and in that vain, we hope you will carefully consider our objections and look to resolve this matter as quickly as possible.

Yours Faithfully

New Residences to the Sunderland Borough.

Signature document

List of Residences objecting to the TPO

Appendix 1

Tree Preservation Order, as set out in the Tree Preservation Orders: A Guide to the Law and Good Practice and law

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/14956/tposguide.pdf).

Chapter 3

Making and Confirming Tree Preservation Orders....

Power To Make A TPO

3.1 LPAs may make a TPO if it appears to them to be:

'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.¹⁸

Amenity

3.2 The Act does not define 'amenity', nor does it prescribe the circumstances in which it is in the interests of amenity to make a TPO. In the Secretary of State's view, TPOs should be used to protect **selected trees** and woodlands **if their removal would have a significant impact on the local environment and its enjoyment by the public**. LPAs should be able to **show that a reasonable degree of public benefit would accrue before TPOs are made or confirmed**. The trees, or at least part of them, should therefore normally be visible from a public place, such as a road or footpath, although, exceptionally, the inclusion of other trees may be justified. **The benefit may be present or future; trees may be worthy of preservation for their intrinsic beauty** or for their contribution to the landscape or because they serve to screen an eyesore or future development; **the value of trees may be enhanced by their scarcity; and the value of a group of trees** or woodland may be collective only. Other factors, such as importance as a wildlife habitat, may be taken into account **which alone would not be sufficient to warrant a TPO**. In the Secretary of State's view, it would be inappropriate to make a TPO in respect of a tree which is dead, dying or dangerous.

3.3 LPAs should be able to explain to landowners why their trees or woodlands have been protected by a TPO. They are advised to develop ways of assessing the 'amenity value' of

trees in a structured and consistent way, taking into account the following key criteria:

- (1) visibility: the extent to which the trees or woodlands can be seen by the general public will inform the LPA's assessment of whether its impact on the local environment is significant. If they cannot be seen or are just barely visible from a public place, a TPO might only be justified in exceptional circumstances;**
- (2) individual impact: the mere fact that a tree is publicly visible will not itself be sufficient to warrant a TPO. The LPA should also assess the tree's particular importance by reference to its size and form, its future potential as an amenity, taking into account any special factors such as its rarity, value as a screen or contribution to the character or appearance of a conservation area. As noted in paragraph 3.2 above, in relation to a group of trees or woodland, an assessment should be made of its collective impact;**
- (3) wider impact: the significance of the trees in their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.**

Expediency

3.4 Although a tree may merit protection on amenity grounds it may not be expedient to make it the subject of a TPO. For example, it is unlikely to be expedient to make a TPO in respect of trees which are under good arboricultural or silvicultural management.

3.5 It may be expedient to make a TPO if the LPA believe there is a risk of the tree being cut down or pruned in ways **which would have a significant impact on the amenity of the area**. It is not necessary for the risk to be immediate. In some cases the LPA may believe that certain trees are at risk generally from development pressures. The LPA may have some other reason to believe that trees are at risk; changes in property ownership and intentions to fell trees are not always known in advance, and so the protection of selected trees by a precautionary TPO might sometimes be considered expedient.

Appendix 2

EXTRAORDINARY meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the COUNCIL CHAMBER of the CIVIC CENTRE on MONDAY 9th MARCH, 2020 at 5.30 p.m, ([Document.ashx \(sunderland.gov.uk\)](https://www.sunderland.gov.uk)).

Abstract

“The AIA also highlighted that much of the tree cover was classified as Category C i.e. trees of low quality. **This view was shared by the Council’s Arboriculturalist who had drawn attention to the maintenance implications of the retained western woodland.** In this regard there were two solutions, 1) to place the trees within extended garden areas and therefore, within the ownership of individual property owners; or, 2) to manage the retained woodland as a separate linear feature, as proposed in the initially submitted scheme. The Council’s Arboriculturalist had concurred with the approach adopted by the AIA, which was to include the retained woodland area within the private garden areas as the most realistic way forward given the proposed layout. It was therefore considered appropriate to impose a condition (condition 4) that required a robust retention strategy and landscaping proposals for the area. Once this condition had been discharged, the Council could then have regard to the fact that the trees would be governed by a covenant placed on each individual property, or alternatively, it could seek to impose a Tree Preservation Order on the retained trees to safeguard them in the future”

Appendix 3

<https://online-applications.sunderland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OG0TDPBBK7100>

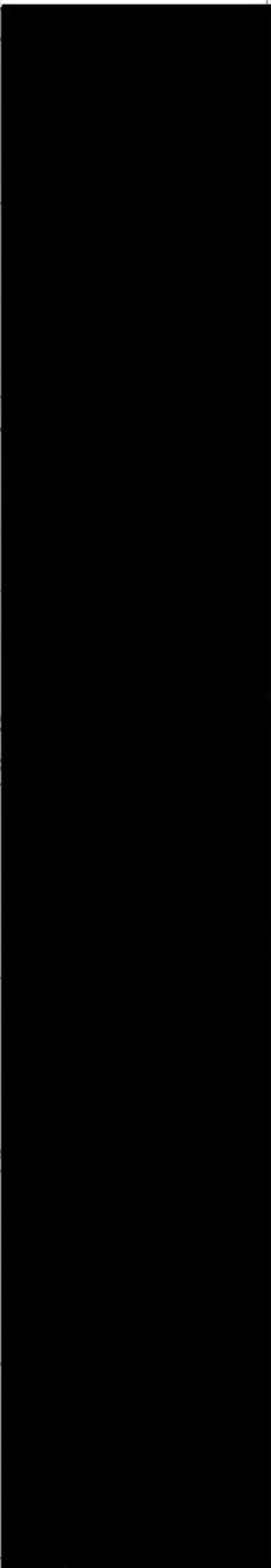
Appendix 4

Example of the considerable damage since the assessments of these trees was under, subjected to the clay ground being compacted, ground levels disturbed and altered creating concerns around stability and unavoidable construction and storm damage.



Objection to Provisional TPO no.179 order 2022 in respect of land at Ocean Park Road, Sunderland

Members of Sunderland Borough community who are objecting

Date	Name	Address	Signature
5/5/22	Chris & Linck Baker	<u>32</u> Ocean Park Road Seaburn, Sunderland SR6 8BP	
8/5/22	Liza + Andrew Archer	<u>30</u> Ocean Park Road Seaburn, Sunderland SR6 8BP	
8/5/22	Tom & SHARON McGUINNESS	<u>24</u> Ocean Park Road Seaburn, Sunderland SR6 8BP	
8/5/22	KEVIN DEVINE STEPHEN MINTO	<u>31</u> Ocean Park Road Seaburn, Sunderland SR6 8BP	
8/5/22	LYNN TONKIN PAT BRADY	<u>35</u> Ocean Park Road Seaburn, Sunderland SR6 8BP	
8/5/22	Addie Earles CHRIS HOIE	<u>34</u> Ocean Park Road Seaburn, Sunderland SR6 8BP	
8/5/22	MICHAEL PARKIN NATALIE PARKIN	<u>27</u> Ocean Park Road Seaburn, Sunderland SR6 8BP	
9/5/22	ROSALIND HUGHES WARREN HUGHES	<u>22</u> Ocean Park Road Seaburn, Sunderland SR6 8BP	

Date	Name	Address	Signature
10.5.22	MICHAEL LEECH	<u>20</u> Ocean Park Road	
10.5.22	HAYLEY LEECH	Seaburn, Sunderland SR6 8BP	

9 th May 2022	KATHRY GINE DAVID GINE	<u>23</u> Ocean Park Road Seaburn, Sunderland SR6 8BP	
11 th MAY 2022	KEITH SEYMOUR	<u>25</u> Ocean Park Road Seaburn, Sunderland SR6 8BP	

Date	Name	Address
10/05/2022	H. Greenall & A. Smith	<u>28</u> Ocean Park Road Seaburn, Sunderland SR6 8BP

Date	Name	Address
11/05/22	C. Hamilton D. Mullen	<u>29</u> Ocean Park Road Seaburn, Sunderland SR6 8BP

Mr CD and Mrs LJ Baker
New residents to Sunderland
Borough
32 Ocean Park Road
Seaburn
Sunderland
SR6 8BP

Date: 1st May 2022

Elaine Waugh
Assistant Director of Law and Governance
City Hall
Plater Way
Sunderland
SR1 3AA

Dear Elaine Waugh

*CC Planning Inspectorate, Sarah Richards Agency Executive The Square, Temple Quay, Room 3 O/P,
Temple Quay House, 2, Bristol BS1 6PN, enquiries@planninginspectorate.gov.uk.*

We are new residences to the Sunderland Borough, having purchased a property on the Avant Lowry Park site, referred to as plot 67.

We wish to respectfully present an objection to the provisional Tree Preservation Order (TPO) which we were notified as commencing 6th April 2022. No.179, with the intention to furnish a more detailed report at a later date through hiring an independent Arborologist.

It is noted that this TPO identifies A1 area referenced on the TPO map as **groups of trees** (broken black line).

I am lodging an objection on the bases that I believe that moving forward any future TPO would more likely be issued under a group TPO and not an area TPO and therefore wish my objection in regard to the group of trees within our property boundary to be lodged and responded to along with my objection to the current Area TPO.

Our interim objection:

We feel very strongly that the group of trees within the boundaries of our property, do not meet the criteria for a Tree Preservation Order, as set out in the Tree Preservation Orders: A Guide to the Law and Good Practice.

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/14956/tposguide.pdf).

As detailed by SBC, Arboricultural Consultants carried out a tree survey and assessment of the groups of trees detailed as A1 on the TPO map, which clearly details the trees as low grade and low

amenity value (https://online-applications.sunderland.gov.uk/online-applications/files/B8D39DB660BB3C743F9A22EB52D21842/pdf/16_02056_HY4-Tree_Survey-397154.pdf). This view was supported by the Council's own Arboriculturist in the, '...EXTRAORDINARY meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the COUNCIL CHAMBER of the CIVIC CENTRE on MONDAY 9th MARCH, 2020 at 5.30 p.m, where it was stated, '...This view was shared by the Council's Arboriculturist...' (Appendix 2 - [Document.ashx](#) ([sunderland.gov.uk](https://online-applications.sunderland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OG0TDPBBK7100))).

Whilst the trees were in an open landscape and viewed from an open field, the Arboricultural Implication Assessment detailed the trees labelled on the TPO map as A1 as having an **overall amenity value as 'minimal'**.

6.5 Arboricultural Implication Assessment states '...to be minimal due to their relatively small stature and therefore low landscape impact. In addition there are many gaps in the planting scheme (assumed to be due to removals) and large numbers of the trees are in decline. As the subject trees are of such small stature a new planting could attain a similar if not improved treescape (Appendix 3 - <https://online-applications.sunderland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OG0TDPBBK7100> – 18.11.2016 Report/Statement Arboriculture Assessment).

Trees outlines on the TPO map labelled as A1 detailed as

C	Those trees of low quality and value: currently in adequate condition to remain until new planting could be established (> 10 years)
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Page 15 of Arboricultural Implication Assessment report.

The assessment was shared by the council's arboriculturist within the extraordinary meeting detailed above.

It is not possible for trees deemed as having minimal overall amenity value to increase in amenity value when the trees have been further thinned and visibility to the general public removed/decreased. It is important to note at this point that according to the Arboricultural implication assessment report that these groups of trees labelled as A1 on the TPO has been identified in 2016 as already in decline.

Since the above tree survey and assessment, which recorded the group of trees labelled A1 on the TPO map as low grade and low amenity value, houses have been built around them and has reduced general public visibility to these trees to negligible or zero. There is no discernible visibility from surrounding areas, streets, public open space areas in any compass direction, including Seaburn Recreation to the north and Cut Throat Dene to the south thus we feel strongly that they **cannot be deemed to provide a significant visual amenity** as per the criteria needed to issue a TPO set out in Chapter 3 of the , '...Tree Preservation Orders: A Guide to the Law and Good Practice 3.2, 3.3 (1), 3.5 (See Appendix 1).

We see no present or future possibility of the visual amenity valuing changing as they are now placed in private gardens not viewable by the public.

As the trees have been identified as low grade they also do not meet the criteria set out in Chapter three of '...Tree Preservation Orders: A Guide to the Law and Good Practice 3.2, 3.3 (2), (3)...' (See Appendix 1).

It is important to note that in placing this objection, we are not implying we wish to remove the trees. We purchased plot 67 specifically as we knew it would be bestowed with said trees. We are passionate about protecting our trees health and safety. We feel we have gone above and beyond to ensure the health and safety of the trees since purchasing the property in February. We have researched and purchased vast quantities of organic matter to help with grow and longevity of the trees. We have started research into plants that prompt the health of the trees such as wild garlic, which we will be planting. In addition, we have already purchased and planted 30 British Native trees which we will be training into a hedge as a screen at the rear of the garden. We have discussed this screen with the neighbour to the rear, who our happy with the planting of the screen.

In reference to our specific group of trees, as no site visit was carried out prior to issuing the TPO, the visibility, the condition and the construction damage and recent storm damage our trees have been subjected to prior to us purchasing the property still have not been assessed or recorded.

To place a TPO on trees which are deemed of low value, minimal amenity and in inadequate condition would unduly place a continually ongoing financial burden on us as new residence of the Sunderland Borough, with the potential of lowering the attractiveness of future owners purchasing the property. Such a financial impact on us as new residence cannot be justified when the trees do not meet the requirements for a TPO and are in decline and are **already governed by a covenant**.

It would be excessive to apply a TPO when they are already governed, protected by a covenant.

Any breaches of the covenant should be dealt with through the due legal process attached to the deeds.

We simple wish to be afforded the opportunity to look after our trees ourselves.

We are passionate about our environment and take our role within our **new** community very seriously and in that vain we have, at considerable cost to ourselves, installed an Air Source heat pump and purchased solar panels (Solar panel installation delayed until August due to supply issues), which we hope highlights to the council our commitment and passion for our environment including our blessed trees.

I hope you will consider our objection in light of the above, we look forward to hearing from you shortly.

Yours Faithfully

Christopher and Linda Baker

New Residences to the Sunderland Borough.

Appendix

Appendix 1

Tree Preservation Order, as set out in the Tree Preservation Orders: A Guide to the Law and Good Practice and law

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/14956/tposguide.pdf).

Chapter 3

Making and Confirming Tree Preservation Orders....

Power To Make A TPO

3.1 LPAs may make a TPO if it appears to them to be:

'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.¹⁸

Amenity

3.2 The Act does not define 'amenity', nor does it prescribe the circumstances in which it is in the interests of amenity to make a TPO. In the Secretary of State's view, TPOs should be used to protect **selected trees** and woodlands **if their removal would have a significant impact on the local environment and its enjoyment by the public. LPAs should be able to show that a reasonable degree of public benefit would accrue before TPOs are made or confirmed.** The trees, or at least part of them, should therefore normally be visible from a public place, such as a road or footpath, although, exceptionally, the inclusion of other trees may be justified. **The benefit may be present or future; trees may be worthy of preservation for their intrinsic beauty** or for their contribution to the landscape or because they serve to screen an eyesore or future development; **the value of trees may be enhanced by their scarcity; and the value of a group of trees** or woodland may be collective only. Other factors, such as importance as a wildlife habitat, may be taken into account **which alone would not be sufficient to warrant a TPO.** In the Secretary of State's view, it would be inappropriate to make a TPO in respect of a tree which is dead, dying or dangerous.

3.3 LPAs should be able to explain to landowners why their trees or woodlands have been protected by a TPO. They are advised to develop ways of assessing the 'amenity value' of

trees in a structured and consistent way, taking into account the following key criteria:

- (1) visibility: the extent to which the trees or woodlands can be seen by the general public will inform the LPA's assessment of whether its impact on the local environment is significant. If they cannot be seen or are just barely visible from a public place, a TPO might only be justified in exceptional circumstances;**
- (2) individual impact: the mere fact that a tree is publicly visible will not itself be sufficient to warrant a TPO. The LPA should also assess the tree's particular importance by reference to its size and form, its future potential as an amenity, taking into account any special factors such as its rarity, value as a screen or contribution to the character or appearance of a conservation area. As noted in paragraph 3.2 above, in relation to a group of trees or woodland, an assessment should be made of its collective impact;**
- (3) wider impact: the significance of the trees in their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.**

Expediency

3.4 Although a tree may merit protection on amenity grounds it may not be expedient to make it the subject of a TPO. For example, it is unlikely to be expedient to make a TPO in respect of trees which are under good arboricultural or silvicultural management.

3.5 It may be expedient to make a TPO if the LPA believe there is a risk of the tree being cut down or pruned in ways **which would have a significant impact on the amenity of the area**. It is not necessary for the risk to be immediate. In some cases the LPA may believe that certain trees are at risk generally from development pressures. The LPA may have some other reason to believe that trees are at risk; changes in property ownership and intentions to fell trees are not always known in advance, and so the protection of selected trees by a precautionary TPO might sometimes be considered expedient.

Appendix 2

EXTRAORDINARY meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the COUNCIL CHAMBER of the CIVIC CENTRE on MONDAY 9th MARCH, 2020 at 5.30 p.m, ([Document.ashx \(sunderland.gov.uk\)](#)).

Appendix 3



[applications/applicationDetails.do?activeTab=documents&keyVal=OG0TDPBBK7100](#) – 18.11.2016
Report/Statement Arboriculture Assessment).

10th May 2022

Elaine Waugh
Sunderland City Council
Corporate Services
City Hall
Platter Way
Sunderland
SR1 3AA

35 Ocean Park Road
Seaburn
Sunderland
SR6 8BP

cc: Planning Inspectorate
Sarah Richards Agency Executive
The Square, Temple Quay
Room 3 O/P, Temple Quay House
Bristol, BS1 6PN

Ref: JA/81168 Tree Preservation Order No 179

Dear Elaine,

We, Lynn Tomkins and Patrick Brady, are writing to object to The City of Sunderland Tree Preservation (No. 179) Order 2022 Land at Ocean Park Road, Sunderland specifically in respect of the trees in our back garden at 35 Ocean Park Road, SR6 8BP

By way of background, we have happily visited Seaburn and the wider area now for several years and largely on the back of the excellent Seaburn Masterplan and Design Code publication decided to move here to be part of the exciting development and regeneration project already underway. To feel welcomed in the community and to contribute to the growth and success of the area – we are therefore somewhat taken aback to find ourselves having to deal with this a week after moving in

We are both avid outdoor people who partake and enjoy all the amenities the region has to offer. On a personal level we enjoy having a garden full of trees, shrubs, flowers and vegetable patches and do everything to promote diversity in flora and fauna – all being suitable and appropriate to the setting
Indeed, Lynn as Chair of Northumberland Colleges was heavily involved in the successful merger of Kirkley Hall Agricultural College and Sunderland College in 2020 which we believe shows our support and commitment to the wider area.

We have no intention of doing anything to upset the overall balance of amenity or landscaping value in the area and wish to maintain trees within the garden with maintenance of existing suitable trees and the introduction of additional suitable and appropriate trees. This to meet all existing habitat needs and provide for introduction of new and diverse range of birds, insects, and animals. However, we strongly believe that some of the trees in our garden are not suitable for a range of reasons and should be removed to allow the addition of appropriate trees for the setting. See Appendix F which shows some of our planting activity on this to date.

The reasons for our objection to the Order include the following

Specification of Trees

We object to the order because it fails to correctly follow procedure for making an order and specifically fails to correctly identify and specify the trees in our garden #35 Ocean Park Road.

With reference to the order.

- *Interpretation, section 2(2)* – is vague, makes no explicit reference to the attached map or the area impacted

- *The attached map itself* – incorrectly highlights a continuous enclosed area. There are no trees in the area/garden immediately to the left of our garden when viewed from our back door, as such, it isn't a continuous area.
- *Schedule – Specification of Trees – Trees specified by reference to an area* - Incorrectly specifies the Situation as 'the retained woodland belt' - the trees are in our private garden haven't been accurately identified or indicated and the use of woodland is not correct classification

Add to this, the publication, Tree Preservation Orders: A Guide to the Law and Good Practice, Section 3.15 highlights the following extract
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/14956/tposguide.pdf)

3.15 The boundary of the woodland should be indicated on the map as accurately as possible, making use of any natural landscape features or property boundaries in a way that will avoid any future uncertainty if trees close to the boundary are removed. Use of the woodland classification is unlikely to be appropriate in gardens

- The trees in our garden haven't been correctly identified from the outset and particularly now with respect to the Order.

With reference to the report - ARB/AE/2132 Sept 2020 -Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plans and extracts show in Appendix A

Drawing ARB/AE/2132/Tip - Tree Impact Plan - shows the trees within or close to our garden boundary for removal and retention are, C20, C21, C26 – C34, Hawthorn C1 #1, Hawthorn C1#2 – 13 trees in total

Drawing ARB/AE/2132/TpP – Tree Protection Plan – show the retention trees are C20,C21, C26 – C30, C33, Hawthorn C1 #1, Hawthorn C1#2 – 8 trees in total

There are currently 17 trees in our garden which demonstrates they haven't been correctly identified, asks question of the plans and the implementation of the plans outlined. These discrepancies show the shortcomings and failure to follow procedure for making an order and specifically fails to correctly identify and specify the trees in our garden #35 Ocean Park Road and is why we object to the order.

- Site Visit

The order fails to mention a site visit or any request for access to our property to survey the trees, assess their amenity value and correctly identify the trees – had a visit taken place and the details recorded the discrepancy outline above may have been avoided

Covenant

Council document - 19_01750_LRA-AGENDA_REPORT-966162 ref Landscaping Section
Extraordinary Meeting Monday 9th March 2020 @ 05:30pm, Council Chamber, Civic Centre

The Council's Arboriculturalist agrees that the trees are classified as Category C – of low quality and low value and for reasons relating on-going maintenance, the Council decided and agreed to transfer the onus for maintenance and responsibility to the new residents governed by a covenant placed on each property.

See Appendix B for BS3837:2012 tree classification details

Given this is the case and we do have a covenant on the property deeds, we see no reason to add to this and therefore, object to the order.

Amenity Value

The order states, *“the amenity value of the trees is due to their visibility from surrounding areas and streets, most notably from the public open spaces at the Seaburn Recreation to the north and Cut Throat Dene to the south”*

We object to this claim as the trees in our garden are not visible from any surrounding public space including, Seaburn Recreation to the north and Cut Throat Dene to the south. See Appendix C for pictures showing no visibility of trees within our garden or most of the gardens

The trees are fully enclosed within private gardens with no public access, negligible if not zero visual access to the general public and therefore offer no visual amenity value

The order goes on to claim that “when read alongside the mature trees coverage of Cut Throat Dene and Mere Knolls Cemetery, provides significant visual amenity to the surrounding area”. We reject this claim, the trees in our garden have no geographical connection to these trees. They don’t share any recognisable standard for tree value, quality nor any of the visual amenity characteristics of these other mature trees at Cut Throat Dene and Mere Knolls Cemetery have.

As there is no discernible visibility from the surrounding areas, streets, public open spaces it is wholly incorrect to claim that these trees share ‘significant visual amenity’ and as such we object to the order on this basis.

Not withstand this, Government guidelines state that public visibility alone is not sufficient to warrant an Order and advises to assess other characteristics. This Order No 179 makes no reference to how visual amenity value was assessed and measured, what methods were employed, nor mentions the other characteristics such as:

- Individual impact
 - o size and form;
 - o future potential as an amenity;
 - o rarity, cultural or historic value;
 - o contribution to, and relationship with, the landscape; and
 - o contribution to the character or appearance of the area

We have issue with some of the trees in the garden when assessed against these characteristic. The trees in question are very tall, 10 – 12m plus, towering above the roof tops, are akin to tall lamp posts as many have no branches below 4 – 5 m, and some, we are told, didn’t have any leaves last summer which would effectively render them Category U. These trees offer no contribution with respect to these characteristics.

See Appendix B for tree classification. See Appendix D for pictures of the trees

Landscaping

Ref: Council document - 19_01750_LRA-AGENDA_REPORT-966162 ref Landscaping Section

Ref: ARB/AE/2132 Sept 2020 -Arboricultural Impact Assessment (AIA) report

In relation to the issue of trees on the site and in support the removal of the very same type of trees throughout the site to allow groundworks clearance, the Council report points out the following.

‘By way of further explanation and material consideration, the Reserved Matters AIA also highlights that much of the tree cover is classified as Category C i.e. trees of low quality, a view which is shared by the Councils Arboriculturalist’

See Appendix B for tree classification

The AIA report goes on to note ***'N.b. the use of large forest type, high canopy tree (as used in the past in the group) should be avoided to reduce future issues of shade and encroachment into gardens on both sides of the boundary'***

Exactly the type we have in our garden. We object to the Order No 179 on the basis of this further explanation

The section goes on to mention that *'overall the application proposal delivers the required linear park' and 'to increase biodiversity at the site however, native hedging should be a priority over ornamental hedging and additional tree planting should (be) sought in the open space areas rather than reliance on tree planting within private gardens'*

These proposals and plan for a linear park and additional trees will meet the overall requirement and balance for the desired visible public amenity of the development, therefore, eliminating the need to impose the Order on trees that aren't visible nor offer public amenity value but instead create significant issues, cost and burden on us as the 'future' residents.

Screening

Council document - 19_01750_LRA-AGENDA_REPORT-966162 ref Landscaping Section

The last paragraph mentions in respect of the western woodland that the retained trees 'will provide for a strategic screen between the proposed built development and the existing residential properties'

We object to the Order No 179 as this is not the case for the several large trees in our garden - Appendix D pictures.

The picture show tree trunks extending without branches up to the rooftops of the existing residential properties and offer no screening at ground or first floor level. The trees at the back, namely two Hawthorn and (we guess) a Laurel offer some limited screening

Maintenance

It's mentioned in various planning documents and in local resident objection documents to the whole housing development that the trees in question haven't been maintained for decades. Thus, the area fell into disrepair leading to many anti-social and other problems as highlighted by local residents and confirmed by the Council. From our vantage, it's clear that this was the case as many trees are in a poor state.

It was explained in document - 19_01750_LRA-AGENDA_REPORT-966162 ref Landscaping Section that the choices were

- place the trees in private ownership of future residents
- have the trees managed independently (we presume by the Council)

A bigger risk was apportioned to the latter as it would create maintenance access issues, further tree loss and lead directly back the anti-social issues and other problems from the past

We don't have an issue with the former choice per se, but we would point out that it seems no consideration was given to the issues that we as 'future' residents would likely encounter. It isn't possible or feasible for us to be able or expected to maintain these (AIA - *large forest type, high canopy tree*) very tall trees ourselves without a great deal of cost and disruption. See Appendix D

This is just one reason why we object to the Order. We too would have access and other problems to contend with but as pointed out in the opening paragraphs, our commitment to maintaining the amenity balance by adding the correct and appropriate tree/shrub type is clear

Given that the trees have been so neglected over the years it's unreasonable and unfair to impose an Order on us as unsuspecting residents to have to pick up the burden.

Responsibility

Most of the trees in our garden are located on the western side of the bund leaning heavily away from our house and property onto neighbouring Seafield houses. See Appendix E

Recent storms and high winds should remind us to take nothing for granted when it comes to very tall trees. If anything were to happen, damage is more likely to happen to our neighbouring properties in Seafield estate.

We do not accept this risk or responsibility particularly as we can take measures to mitigate the issue for all concerned and likely impacted in the future. This is another reason why we object to the order

It is our intention to have the trees in our garden surveyed and reported on by an independent consultant. This report will be submitted in due course as soon as practical. We have read just about all the submissions to the whole development plan going back as far as 2016. Many good arguments, points and discussions are made by those in favour and those against. However, many of those who made objections to the trees along the western side of the development were and are more concerned about the direct threat or imposition of new neighbours as opposed to the saving of trees for their visual amenity value. It appears that the urgency to impose the Order stems and is being influenced from that viewpoint.

In summary, we sincerely hope and expect as equal residents that our views and points to be afforded balanced consideration and dealt with evenly and open handed. We are available for discussion to help clarify any aspects of our objection and to gain a better mutual understanding of the core issues that are to be considered leading to the withdrawal of the Order. We would also welcome the opportunity to attend and speak at any committee or sub-committee meetings dealing with this Order

As stated in the opening section, we are fully in support of the Seaburn Masterplan, to be part of and contribute to community growth, promote and support all the amenities on offer, and the success overall - which undoubtedly is already happening – and is great to see and be part of.

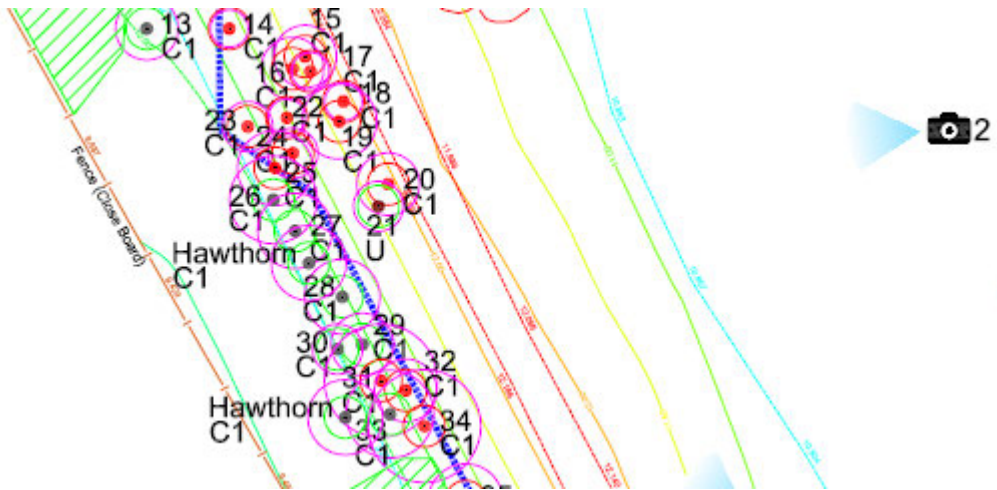
Yours faithfully

Lynn Tomkins & Pat Brady

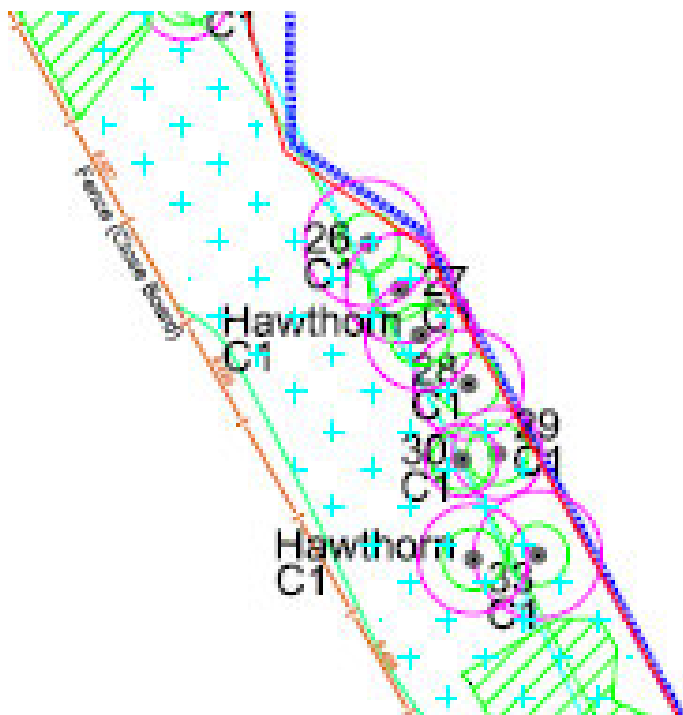
35 Ocean Park Road, SR6 8BP

Appendix A

Extract from ARB/AE/2132/Tip Tree Impact Plan



Extract from drawing ARB/AE/2132/TpP - Tree Protection Plan



Appendix B

BS5837:2012 Table 1 – Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)		
Trees unsuitable for retention (see Note)			
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<ul style="list-style-type: none">• Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning)• Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline• Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality <p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see [BS5837:2012] 4.5.7.</i></p>		
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation
Trees to be considered for retention			
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value

Appendix C

View from public footpath at #35 – no trees visible



View from Seaburn Recreation Ground - From right to left – house numbers 36 to 40 – no trees are visible



View from Seafields / Lowry Road



Appendix D

View showing trees extending high above rooftop





Appendix E



Appendix F

Some of the suitable & varied trees, shrubs and plants we've already started planting



30 Ocean Park Road

Seaburn,

Sunderland

SR6 8BP

9th May 2022

Elaine Waugh

Assistant Director of Law and Governance,

City Hall,

Plater Way,

Sunderland.

Dear Elaine Waugh,

Objection to Provisional TPO no.179 in respect to land at Ocean Park Road

Firstly we would like to say that we bought our property partly *because* of the trees that would be in our garden, not in spite of it. We have no intentions of removing the trees and as agreed in the deeds by way of the restrictive covenants we are more than willing to maintain the trees.

However, we feel we need to object to the TPO being placed on the trees within our boundaries.

Firstly, it is stated in TPO No 179 that the council has made the order "...The amenity value of the trees is due to their visibility from surrounding areas and streets, most notably Seaburn Recreation to the north and Cut Throat Dene to the south", we would argue that the trees in our garden are not visible from those areas.

The Government's "Tree Preservation Orders: A Guide to the Law and Good Practice" states that:

..."the extent to which the trees or woodlands can be seen by the general public will inform the LPA's assessment of whether its impact on the local environment

is significant. If they cannot be seen or are just barely visible from a public place, a TPO might only be justified in exceptional circumstances;”

We as the owners would like to know what “exceptional circumstances” the council believes the trees to fall into.

Secondly, while we have been looking into this, we understand that the trees were discussed at planning stages, notably 9TH March 2020 where the Arboricultural Implication Assessment stated the trees were “low grade” with overall amenity value as “minimal” with a large number of trees “in decline”.

At this meeting the Councils Arboriculturalist drew attention to the maintenance implication of the declining trees and so discussions were had as to whether the trees should be encompassed into the private gardens or for the council to “manage the retained woodland area as a separate linear feature, as proposed in the initially submitted scheme”.

We feel that if the initial plan to maintain the trees in a public area was then changed to encompassing them into private gardens, surely the trees were not deemed to have significant public value? Or was it that the council did not want to cover the cost of maintaining these declining trees themselves?

It does not seem fair to us that the trees were not placed under a TPO prior to us purchasing the property but within mere weeks of us moving in it has been imposed. We have to question whether the TPO has been placed on the trees because of other resident’s actions or whether it was the council’s plan all along? We don’t know, but it is very unfair to burden us with large costs for maintaining trees under a TPO when we were more than willing to maintain them under the rules of the covenant.

We would like you to consider our objections and hope that we can come to a resolution so that we can maintain the trees without the logistical and financial burden a TPO will bring.

Yours Sincerely



Liza and Andrew Archer

Dear Sir/Madam,

I wish to object to the proposed tree preservation order (no. 179) in respect of land at Ocean Park Road, Sunderland. My reasons for objecting to this are:

- We were not told at the point of purchasing our property that the trees had to remain in the garden.
- The trees block out a lot of sunlight from the garden, the garden was one of the main selling points of the plot. Turf etc in our plot will struggle to grow.
- The garden also quite simply looks a mess with the trees left in situ, the garden is a part of the property we have purchased and we should be at liberty to decide what happens to the garden as the legal owner/occupier. We have paid a significant amount of money for our plot and half of the garden is unusable because of the trees that are left.
- We are led to believe that the trees have been left in the gardens to sweeten the residents of the Seafield's estate behind Lowry Park, with no thought as to how the gardens are for the new residents. To put it bluntly, we as the owner/occupier are responsible for ensuring that we pay our mortgage every month, not the residents of Seafield's. I do not see why their dissatisfaction at the development being built should dictate what we can/cannot do in our property/land.
- The trees currently are very poor species. We could understand if they were 100-150 year old oak trees but they are very poor the current trees.

I would also like to know, if the tree preservation order is put into place, would the residents that are affected by this order receive monetary compensation in the following circumstances:

- The time/money spent to remove leaves that have fallen from the trees each year and the maintenance of the trees such as pruning etc. when needed.
- We have recently had storms in the area that have caused catastrophic damage to trees, if this was to occur again and the trees within our garden were damaged and made the garden an unsafe area, would Sunderland Council be happy to pick up the costs of having a tree surgeon come to remove the trees to make the area safe? Or happy to pick up the costs if property was damaged because of this?

I look forward to hearing from you soon.

Regards,

Resident of Lowry Park, Seaburn

Jennifer Atkins

City Hall

Plater Way

Sunderland

SR1 3AA

28th April 2022

Dear Jennifer

OBJECTION TO TREE PRESERVATION ORDER (No.179) LAND AT OCEAN PARK ROAD, SUNDERLAND.

I am writing to formally object to the Tree Preservation Order No.179 at Ocean Park Road, Sunderland. This order relates to the woodland belt situated to the west of number 36 Ocean Park Road, Sunderland SR6 8BP and within the property boundaries of numbers 17 to 35 Ocean Park Road, Sunderland SR6 8BP.

My reason for objection is as follows

The trees in my garden are overbearing, the trees themselves the tallest stands at 9.8m from ground level and ground level is 1.7m above my garden level (see photos 3 & 10). The closest tree in my garden is situated just 6m from my external wall and I have been left with a multi-level garden to keep the roots healthy thus giving me a very small garden (see photos 2 & 3).

These trees have shed so many leaves and branches since I moved in and blocked out so much light that my lawn hasn't been able to grow all along one side. These leaves and branches have also fell on my flat roof and blocked up the drainage causing the roof and the garden to flood.

The TPO states the woodland belt provides significant visual amenity to the area, (see photos 6 & 12), I believe this is being greatly exaggerated, there's barely a tree in sight. If you look at photos 7 & 8 you can see all the trees have already been cut down and this is situated circa 17m from where they wish to place the TPO so how comes these trees were allowed to be removed but the ones that nobody could see and have the potential to do the most harm are getting protected.

If you look at photos 1 & 5 you can see the trees are becoming taller than the properties, how tall is too tall in this situation. With the recent storms we had last year and the beginning of this year I don't see why it's needed to keep these trees so close to the properties which could cause serious damage if uprooted by another storm.

I myself am a nature lover and would plan on replanting younger trees at the boundary fence a sensible distance from my property if the TPO is removed but these trees situated where they are at present, I feel are unnecessary. It isn't like removing these trees would leave no other trees in the area, if you look at photos 9 & 11 you can see there is quite a vast woodland very close by.

The woodland belt in question has now been significantly reduced from what my aerial shot shows in photo 11, I would think if it was to have been protected then the whole belt should have been protected and not just a chosen few which in my opinion have the biggest chance of causing damage.

For the reasons given above I do not consider that TPO 179 Ocean Park Road should be imposed.

I look forward to the Council's determination upon this matter in due course.

Yours sincerely

Michael Leech
20 Ocean Park Road
Seaburn
Sunderland
SR6 8BP

[REDACTED]









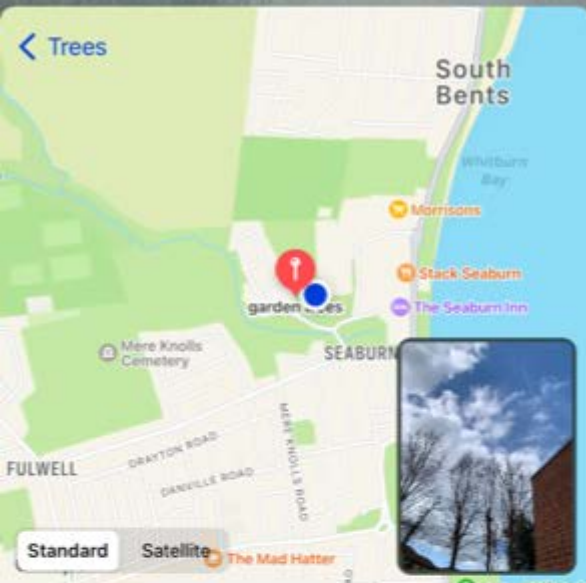










[< Trees](#)


Standard

Satellite

garden trees

Date	9 April 2022
Time	12:57
Perpendicular height	9.8 m
Inclination°	-4.4°
Inclined height	9.83 m
Crown width	--
Crown base height	--
Comment	--



11





WELCOME TO
Lowry Park