

Objection to Tree Preservation Order JK/4/12/2020 – 7 Brunswick Rd, Manchester, M20 4GA

16th March 2021

Submitted on behalf of those objecting to the above TPO

Please note this note is solely a response to the report from the Director of Planning, Building Regulations and Licensing and comment on the original TPO. All four parties that oppose the TPO maintain their objections to the TPO.

The above TPO states that T1 *“forms an important element of the street scene of Brunswick Road and the wider urban landscape character of the area. Due to its size, form and prominent location this tree makes a significant contribution to the visual amenity of the surrounding predominantly residential area, in particular for the occupiers and visitors to the properties on Brunswick Road, Parsonage Road and Burlington Road, and also for both vehicular and pedestrian passers by”*. This is inaccurate.

The report of the Director of Planning, Building Regulations and Licensing stated *“Its large canopy is clearly visible to both occupiers of surrounding residential properties as well as public areas, principally from the public highway of Brunswick Road, Parsonage Road, Burlington Road and Alan Road”*

The Conclusion of the same report wrongly states the objections are principally based on the size of the tree and its impact on light to surrounding neighbours' gardens. The principal objection is actually that the tree is largely not visible from the named surrounding streets (and where it is visible only in small glimpses) and as such does not contribute significantly to the visual amenity of the surrounding area. Vehicular passers by in particular will struggle to see the tree at all, while pedestrian passer by views are restricted to a single short area in either direction on Brunswick. Only those houses that back onto the tree can clearly see it, and they place far greater weight on its negative impacts than any visual impact.

Appendix 2 demonstrates this.

The report of the Director of Planning, Building Regulations and Licensing contains a number of other factual inaccuracies that risks the misrepresentation of the situation to the Planning Committee, including:

- *‘The mature oak is an important and well looked after tree’* – no known pruning or management of this tree has occurred since at least 2008.

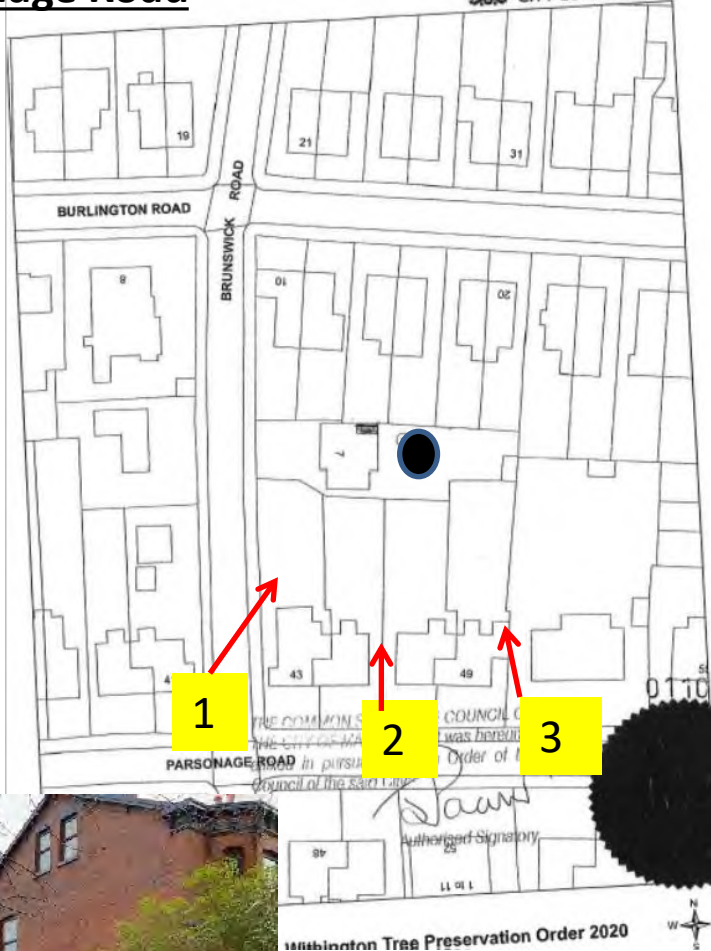
- *'Proposed pruning works by neighbours to cut back to the border would probably compromise the health of the tree and eventually kill it'* – the 4 objecting families do not wish to cut the tree back to the border. They have proactively sought to reach a mutually agreed level of pruning and provided proposed pruning to the landowner of 7 Brunswick by email on 9th & 18th January 2021, with follow up discussions on weekend of 23rd/24th January. 7 Brunswick have rejected the proposals but not provided their own opinion of any level of acceptable pruning. 7 Brunswick have refused to provide any opinion on pruning unless all objections to the TPO are withdrawn beforehand.
- *'A request was made by the owner for the tree to be surveyed and assessed if it was worthy of a TPO. This followed a change in ownership to a neighbouring property and concerns that works could be carried out to the tree without mutual agreement and not in the interests of the form or health of the tree'* – as above, the owner of 7 Brunswick has been approached on multiple occasions to provide reassurance that this is not the case.
- *'Making a TPO application is a relatively simple process and can be submitted by the homeowner or any other interested party. This should facilitate agreement in the future by all interested parties for the appropriate level of works to the tree.'* The neighbours have sought to engage with the landowner at 7 Brunswick since early January to reach agreement on an appropriate level of works to the tree – as highlighted above 7 Brunswick have refused to engage meaningfully on this.
- *'The closest neighbouring properties are approximately 15m from the main stem of this Oak tree, which would be beyond the rootzone area.'* – The closest property is 7 Brunswick where it adjoins neighbouring family gardens, with the house estimated to be 3m from the tree. Given the proximity to the boundary, any structural problems with 7 Brunswick also presents risks to the adjoining family gardens. The other neighbouring properties are 12m away.
- *'This mature Oak is approximately 14m in height with an average crown diameter of approximately 10m'.* – The East-West diameter of the crown is at least 16m.

Appendix 1 – Pruning Requested by Neighbours and proposed to 7 Brunswick on 9th and 18th January and discussed in person on 24th January.



Appendix 2 – see next page

View From Parsonage Road



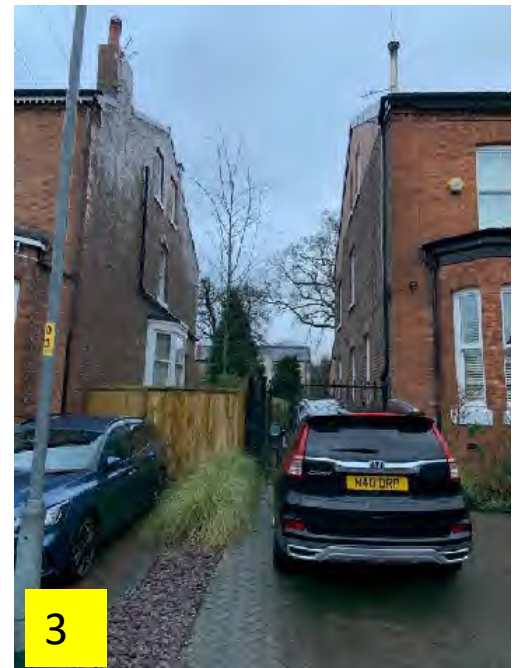
Not visible or discernable from other trees

Burlington Road

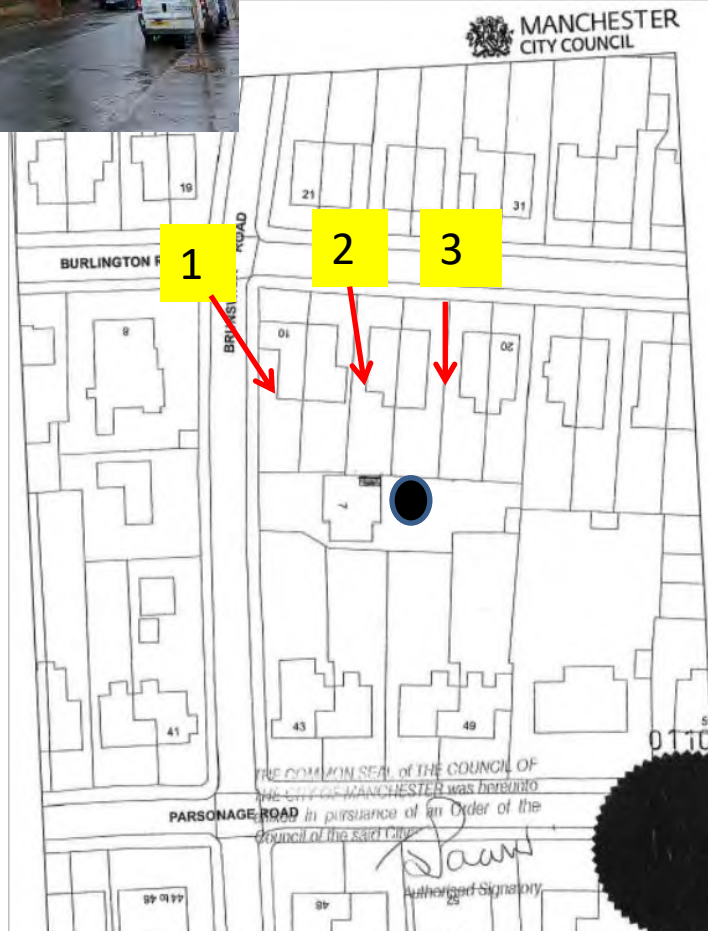
1



Not visible or fleeting glimpses between buildings

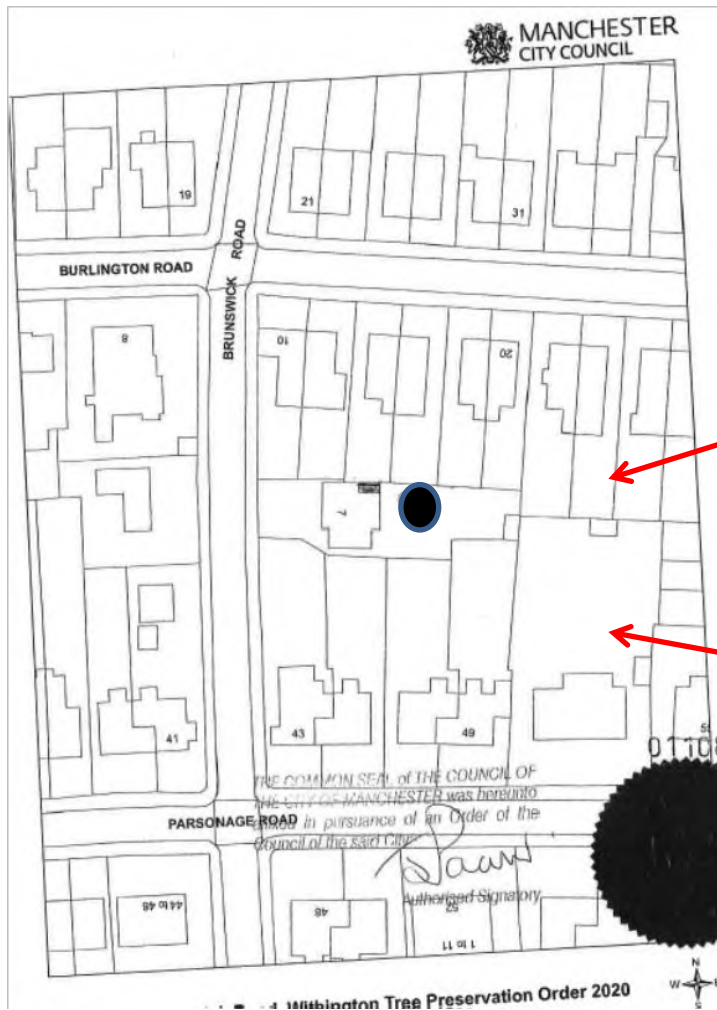


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2

Alan Road



Fleeting glimpses between buildings or not discernable from other trees

Brunswick Road



A few steps left – not visible



Photo 1 from Council Report



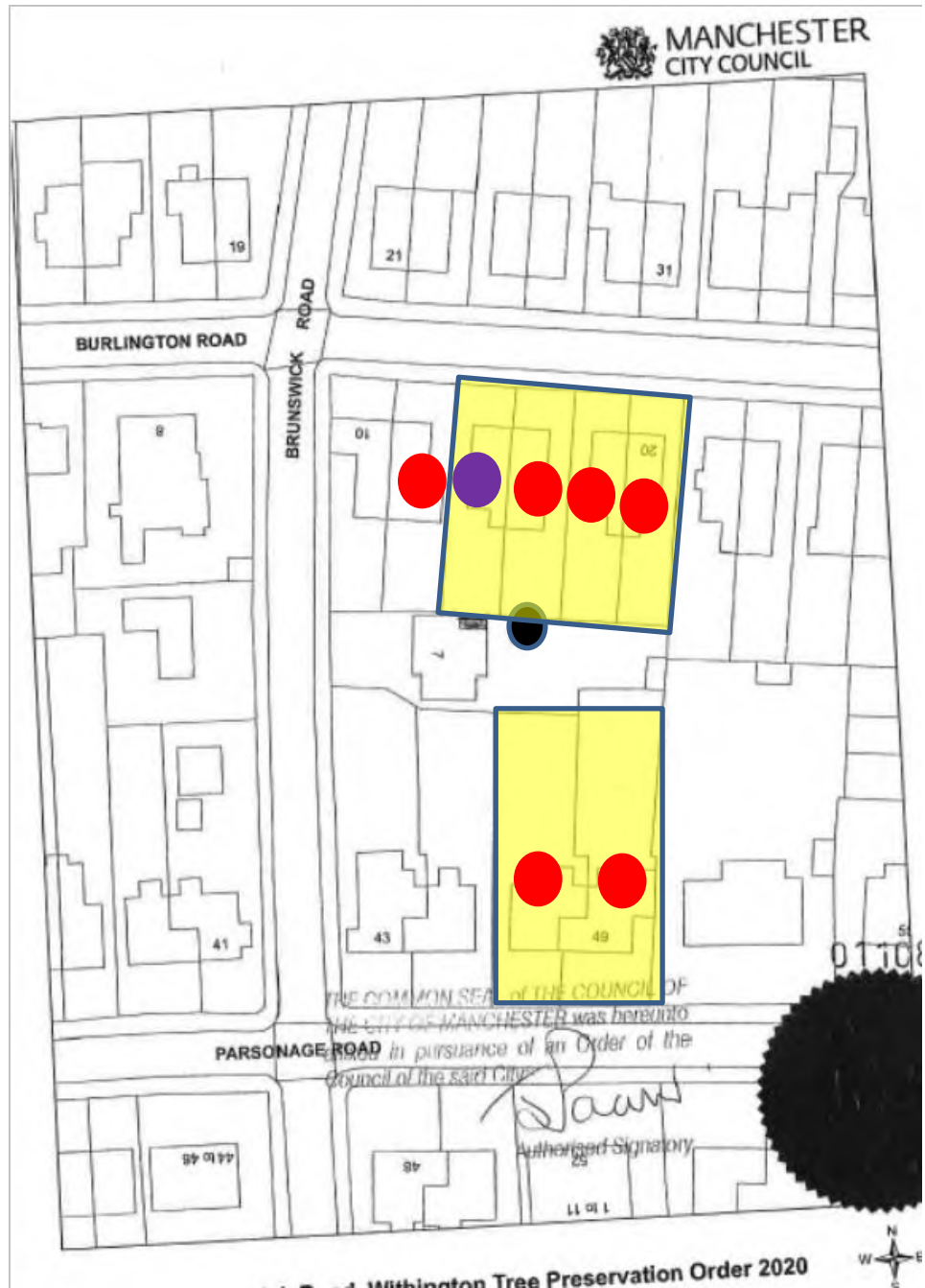
A few steps right – not visible



A few steps forward– not visible

Houses Affected

Those deemed to be affected are almost entirely opposed to the TPO and place significantly more weighting on the negative impacts of the tree on health & wellbeing than on any visual amenity



Addresses affected (as written to by council)

Objected

1 x house share

T1 Oak

THE COMMON SEAL of the COUNCIL OF the CITY OF MANCHESTER was hereunto affixed in pursuance of an Order of the Council of the said City.

Authorized Signatory