

Lisa Owen and Daniel Burke

72 Bro Deg

Ruthin

Denbighshire

LL15 1XY

Re- TPO Oak Tree at 46 Bro Deg.

To whom it may concern,

I am writing in relation to the information we have been sent regarding the Tree Preservation Order on the tree at 46 Bro Deg which is the property behind ours. I object to the order being carried out for several reasons.

In your letter you state the tree is of historical value. Please clarify how this is the case? The tree is in located on a former public footpath and it lies extremely close to our property, shadowing at least two thirds of the light from our garden from March to November before it then sheds its leaves. It is taller than the house and since we moved into the property in 2018 the proprietor at 46 Bro Deg has done little to maintain the tree or prevent it causing a nuisance. This is something I fear will only become worse with a TPO in place.

This tree is much closer to the boundary than in the plan that has been sent out to us. The root of the tree is large and is causing significant damage to our boundary fence - a matter that could be deemed illegal in Common Law (see photographs attached.)

I do not intend to fell the tree and never have intended to do so. In fact, I have always been more than reasonable and have spoken to the owner at 46 Bro Deg on a number of occasions to ask if a solution can be met in order for the fence to remain but without damage being caused. However, the owner doesn't appear to be concerned about the damage being caused, despite it being highlighted on a number of occasions. We must have a fence due to having dogs living here. If this wasn't the case, I would remove the fence therefore exposing both gardens and neither would have much privacy, but it would also remove the issue of damage to the fence being caused by the large roots of this tree - something I cannot afford to replace annually.

As a resident in Denbighshire paying my council tax and as the owner of my property, I would like to enquire as to how a visit has been made and this decision put in place without even consulting with ourselves or visiting our property to gauge the size of the root that encroaches on our land. The process doesn't appear a very transparent or one that provides a balanced approach that considers the implications for us.

I would like to request that if you are considering placing a TPO on the tree then I would like to see the TEMPO risk assessment and any documentation that has been completed that in relation to the effect on my property. I would also like to ask if there is a clause on it that puts the onus on the owners of the tree to maintain its growth to a considerate level so it doesn't overwhelm my whole

property and that the roots are looked at. Steps should be taken to ensure we can keep a fence in place for the safety of my dogs and children without it being damaged.

Yours sincerely

Mr Daniel Burke and Miss Lisa Owen (owners at 72 Bro Deg)