

Area Tree Preservation Order TPO 8/1970
Report on survey of Grange Park, Steeple Aston, residents regarding the TPO
1st March 2016

A.J.H.Allen, B.Sc., M.Sc. and Anne Vindenes Allen, B.Sc., M.Sc.
4, Grange Park, Steeple Aston, OX25 4SR. Tel 01869 340160.

1. Introduction

Area Tree Preservation Order TPO 8/1970 was ratified by Oxfordshire County Council on 30th November 1970. In the 45 years since the TPO was imposed, the protected trees have grown considerably and are now fully mature and some may be in decline. No information is available on whether the TPO has been reviewed by Cherwell District Council during those 45 years. Government guidelines (Tree Preservation Orders - A Guide to the Law and Good Practice, Chapter 4, paragraph 4.2) indicate that good practice requires regular review of TPOs by Local Planning Authorities (LPAs).

The trees covered by the TPO are predominantly horse chestnuts, a non-native species¹, sycamores, also non-native, and other species. The trees are predominantly located in the modestly-sized back gardens of Grange Park, although a few are also located in front gardens.

TPO 8/1970

According to Cherwell District Council's website²:

"As a Local Planning Authority (LPA) we may place a TPO on a tree if the tree is considered to have a sufficient level of amenity value."

(Note: there appears to be no information on this website regarding **area** TPOs such as the Grange Park TPO, which begs the question of how common this type of blanket TPO is within the Cherwell District.)

The First Schedule to the TPO states '*The several trees of what-ever species standing in the area numbered A.1 on the map*' (see Appendix 1 below for map of the First Schedule). Unfortunately, no detailed map of the protected trees was made of those trees standing in 1970, and consequently after 45 years there is ambiguity about whether a tree is covered or not.

Consequences to owners with protected trees on their property include:

- Any owners who '*cut down, top, lop or wilfully destroy or permit cutting down*', without planning permission are guilty of an offence - and in 1970 subject to a fine of '*£250 or twice the value of the tree*'. Today the fine could be as much as £20,000 if convicted in a Magistrate's Court.
- The owners remain liable for any loss, injury or damage the trees may cause to persons or property, although (it is believed that) owners may seek compensation if loss or damage is suffered in consequence of any refusal of consent - but within time constraints (i.e. owners must have foreseen any consequences and have applied for planning permission in advance of the loss, injury or damage). NB Reference is made to this in Clause 9 of TPO 8/1970 but we cannot guarantee the legal validity of it today.

Situation

In 1970 there were village allotments along the western boundary of the TPO area, with access from Fenway. This is today uncultivated land with no access and the view of the trees from any area accessible to the public is very limited. Since 1970, there has been considerable further development of housing along the boundaries, with more gardens abutting the TPO area; a Conservation Area adjoins to the south and includes The Grange.

Grange Park is a cul-de-sac and today no public footpath leads directly to, from or alongside it. Therefore, there is currently no thoroughfare and a limited footfall by Steeple Aston villagers not resident in Grange Park. The boundary of the TPO area adjoins privately-owned fallow land to the west, fields/pasture to the east and a few gardens (on Fenway) not in the TPO area.

The use of the land around Grange Park and the visibility of the trees has therefore changed substantially over the last 45 years.

The Survey

There has been much discussion in the village magazine Steeple Aston Life and amongst residents about the TPO, but no evidence base was available on views held and consequences to people directly affected by the TPO, i.e. the residents of Grange Park.

The primary purpose of this survey is to ascertain the views of Grange Park residents on whether or not the TPO should now be reviewed and revoked - in addition, to gather information about the number of trees per property and perceived amenity value to residents. Secondly, the survey intended to document the 'nuisance' trees are causing – trees for which the owners are legally responsible.

There is a perception among some Grange Park residents that, to date, Steeple Aston Parish Council have not always been supportive of those seeking planning permission with respect to their protected trees. A further intention of the survey is therefore to ascertain the

views of Grange Park residents on whether they would like the Parish Council to represent their wishes on matters concerning the TPO.

2. Method

The survey was designed to gather reasonably detailed information within the format of a sensibly short questionnaire – see Appendix 2. One questionnaire was delivered to every household in Grange Park on 22nd January 2016 with a request to return completed questionnaires by 1st February 2016. The aim was to obtain the views of all Grange Park residents, including those without protected trees on their property and those living in The Grange house which is not within the area of the TPO – see TPO 8/1970 area map in Appendix 1.

Respondents to the survey were invited to provide their name, house number and an email address, although the survey authors undertook not to disclose individual responses. Survey results are to be shared anonymously with all respondents.

Anne and Andy Allen of 4 Grange Park, both who have experience in market research and scientific reporting, compiled the questions, distributed questionnaires and analysed results which include those from 4 Grange Park. The authors' responses to the questionnaire are included in all statistics presented here.

3. Discussion of Results

Of the 41 questionnaires distributed, 22 were completed and returned – thus, the total response was 54% of the total number of questionnaires distributed. The percentages derived from the analysis of the results are based on the number of returned questionnaires. The results are presented essentially in the order in which the items appeared in the questionnaire.

3.1 Number of protected trees per property

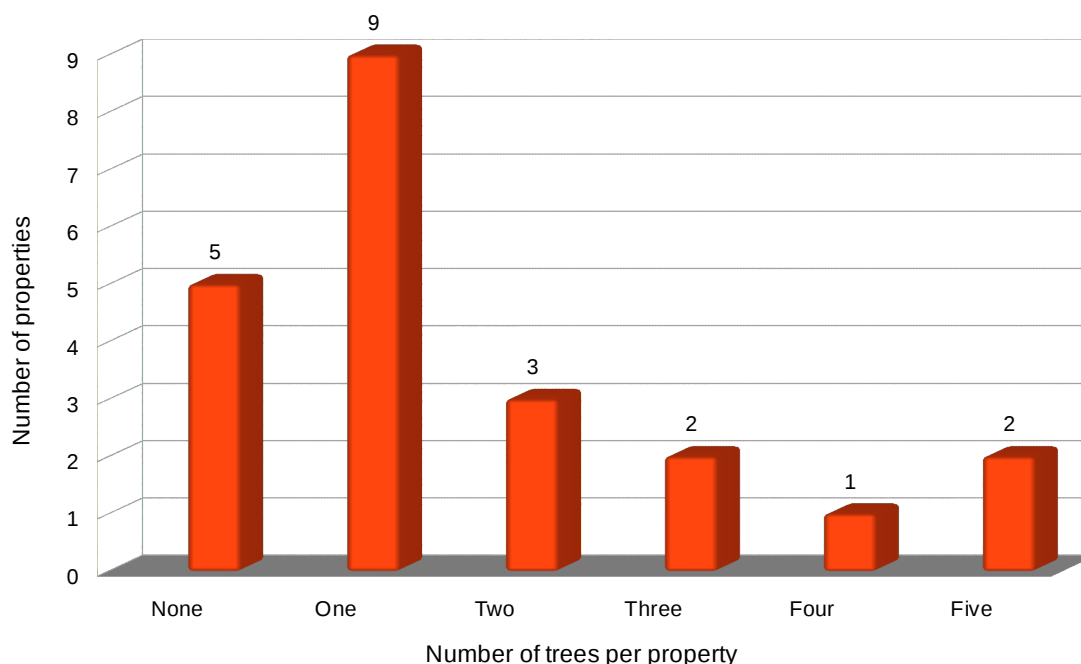


Figure 1 – Number of properties with number of protected trees

Respondents reported a total of 35 protected trees. Four respondents did not know whether their trees were covered by the TPO or not. Two phone calls from residents were received by the survey organisers noting that there was ambiguity about which trees are protected. (The cause of the ambiguity is also noted above in the Introduction.) This has now been resolved in an email (26/1/16) from the Arboricultural Officer Caroline Morrey stating that the TPO “only protects the trees that were growing in 1970 - any tree planted after this time is not covered by the order”.

The above column chart shows that 5 properties out of 22 surveyed, ie nearly a quarter, have no protected trees; 9 properties have one tree, 3 have 2, 2 have 3, 1 has 4 and 2 properties have 5 trees.

TPO 8/1970 therefore does not apply to or affect all properties in Grange Park equally. Thus, the burden of maintaining the perceived amenity benefit of any protected tree/s falls unevenly on residents.

3.2 Amenity benefit to local area

Figure 2 below shows the perceived amenity benefit to the local area in four categories: none, a little, some, a lot, as per the colour key. The Government has guidelines for assessing amenity value, but this question to residents was intended to produce a single figure of perceived amenity value for simplicity. The figures are presented as percentages of the returned questionnaires, and include properties with no protected trees; 68% of respondents see little or no benefit of the protected trees to the local area while only 5% (1 respondent) see 'a lot' of benefit.

A sample of respondents' comments on local area amenity benefit is included below (See Appendix 3 for all comments):

“3 of the trees form part of a screen, however there is no need for the trees involved to be so large”

“I can't honestly believe the trees in my garden provide any (let alone significant) amenity benefit to anyone in the local vicinity since they affect my vista(s) and beyond that are visible by the neighbour each side. The trees in my garden would not stand out significantly from further afield (such as from the main road) as they would be drowned out by the many and varied trees found in the substantial woods metres away. They are not visible by the wider public as the field onto which my garden backs is owned by a private individual.”

“They are so big now, they dominate the top of the close”

“A visual statement halfway along Grange Park.”

“Appearance & enjoyment of our garden & Grange Park itself.”

“My trees are beside the road and pavement & look pleasant for passers by.”

“NOT VISIBLE TO ANYONE ELSE OTHER THAN NEIGHBOUR.”

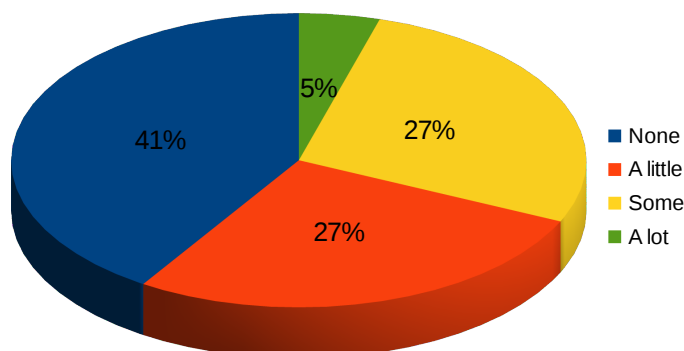


Figure 2 – Amenity benefit to local area as percentage of returned questionnaires

The term 'amenity value' is somewhat nebulous and is not defined in law, so LPAs need to exercise judgement when deciding whether its application is appropriate [sic] (Ref 3 paragraph 007). However, visibility is one of two main criteria which Cherwell District Council (ref CDC website) use for assessing 'amenity value'. Several respondents mention lack of visibility of their trees to other residents. It has already been noted above that Grange Park is not a thoroughfare for other villagers. It is reasonable to conclude that the visibility to the wider population of Steeple Aston is also limited owing to the situation of the trees being predominantly in back gardens in a cul-de-sac.

The other main criterion is 'Individual, collective and wider impact as amenity value' which includes [tree] size and form, future potential as an amenity, rarity, cultural or historic value; contribution to and relationship with, the landscape; and contribution to the character or appearance of a conservation area. Comments received suggested:

- No rare tree species were reported
- Many comments on tree being too large for the space and pruning causing problems – see 3.4 below.
- No comments on the conservation area (separated by a road and housing) or its relation to the wider landscape or its future potential as an amenity

3.3 Amenity benefit to own garden

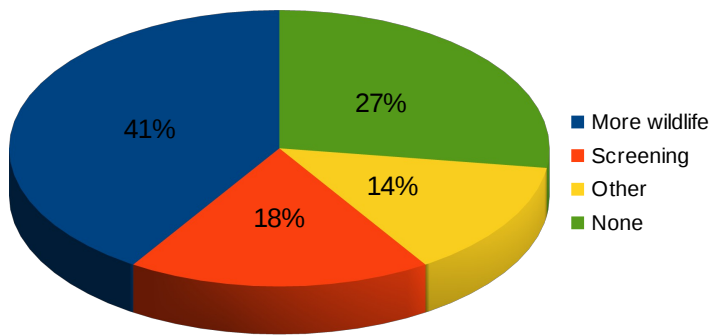


Figure 3 – Amenity benefit of protected trees to own garden as percentage of returned questionnaires

Figure 3 shows the amenity benefit of protected tree(s) in the residents' own gardens, perceived by residents of properties with protected trees. Properties with no protected trees have been excluded from this analysis because of the wording of the questionnaire, even where residents of such properties expressed a view. There is a majority of 59% who see 'screening' and 'more wildlife' as benefits to their own gardens and a significant minority of 27% who see no benefit; 14% see other benefits such as 'a copious supply of leaf mould', and 'shade' (see Appendix 3 for all comments).

3.4 Problems associated with protected trees

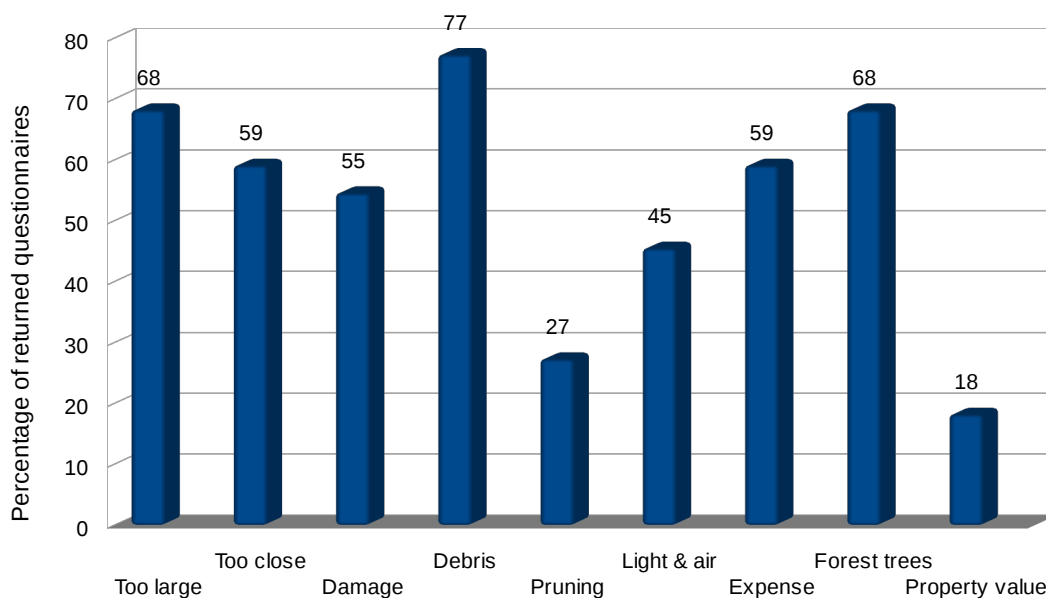


Figure 4 shows the problems cited by residents in relation to protected trees, whether or not they are on their own property. The vertical axis shows percentage of returned questionnaires and the horizontal axis is the problem selected from the categories in the questionnaire.

A brief explanation of the nine problem categories in the figure is as follows:

- i) **Too large** - The tree/s is/are too large for my garden.
- ii) **Too close** - The tree/s is/are too close to my house and/or my neighbour's house.
NB. The two categories in the questionnaire – 'too close to my house' and 'too close to my neighbour's house' have been combined for the purpose of the analysis.
- iii) **Damage** - Roots are causing, or have potential to cause, damage to: Drainage, house foundations, garden structures or other items.
- iv) **Debris** - Debris from the tree/s is causing a nuisance in various ways.
- v) **Pruning** - Pruning the tree/s has invigorated growth and the problems are worse.
- vi) **Light & air** - Lack of light and air caused by the trees
- vii) **Expense** - The expense of managing a potentially very large tree to make it safe
- viii) **Forest trees** - The tree/s are forest trees and not suitable for the garden.
- ix) **Property value** - The value of the property is being affected.

Significant majorities cited 'Debris', 'Too large', 'Forest tree not suitable for a garden' as being the main problems. Secondly, high numbers of respondents also cited 'Expense (of managing large trees)' and 'Too close' (to their own or neighbour's property), as problem areas. In addition to the structured questions of the survey, many respondents took the time to complete the 'Other problems with the protected tree/s are:' section of the questionnaire, with many additional problems reported (Appendix 3). One respondent felt the need to write and submit a 2½ page letter about the nuisance factors caused by the trees, which included the significant worry about the health risks presented by pigeon faeces. Others stated that debris from the trees clogged up gutters and caused damage to cars; others mentioned the constant need to remove moss from roofs.

From the responses received, it is clear that the majority of residents in Grange Park experience significant 'nuisance' in various ways, either from their own trees or from their neighbours' trees.

It is appropriate to say at this point that very real problems are experienced by residents as a result of being forced to maintain protected trees on their property. There is however a tendency of the planning authorities to dismiss these when commenting on tree-work applications to deal with such problems. For example, the issue of huge amounts of debris from the trees is “normally considered part of routine garden maintenance, and although a chore, is not justification to remove a healthy tree”; “the tree is not being removed for health and safety reasons but because it is causing a nuisance to an adjacent swimming pool”; “the tree was there before the house” [citations from recent planning applications]. Thus, the impression often conveyed to residents is that there is little or no sympathy for their concerns and that they must simply 'grin and bear' the burden of maintaining an unproven 'amenity benefit' of the trees.

Other residents also mention the CDC planning process as an obstacle to managing their trees (see Appendix 3):

“Previously I have made an application to the Council for the tree to be pruned. MONTHS later this was approved. Furthermore, the authorised pruning is often out of date by the date the consent has been obtained due to the fact that the process itself is slow and therefore the trees are already into their next growing cycle.”

3.5 Whether TPO 8/1970 should be revoked

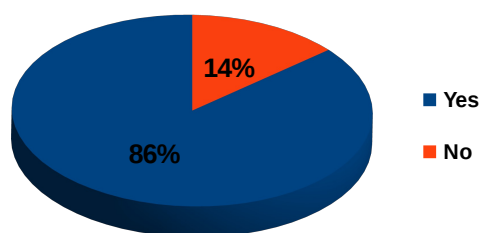


Figure 5 – Percentages for and against revoking TPO 8/1970 as shown by the colour key

86% of respondents wanted the TPO to be revoked. Only 3 respondents did not wish for the order to be revoked; no respondents indicated 'Don't Know'.

3.6 Proposed action regarding trees if TPO 8/1970 were revoked

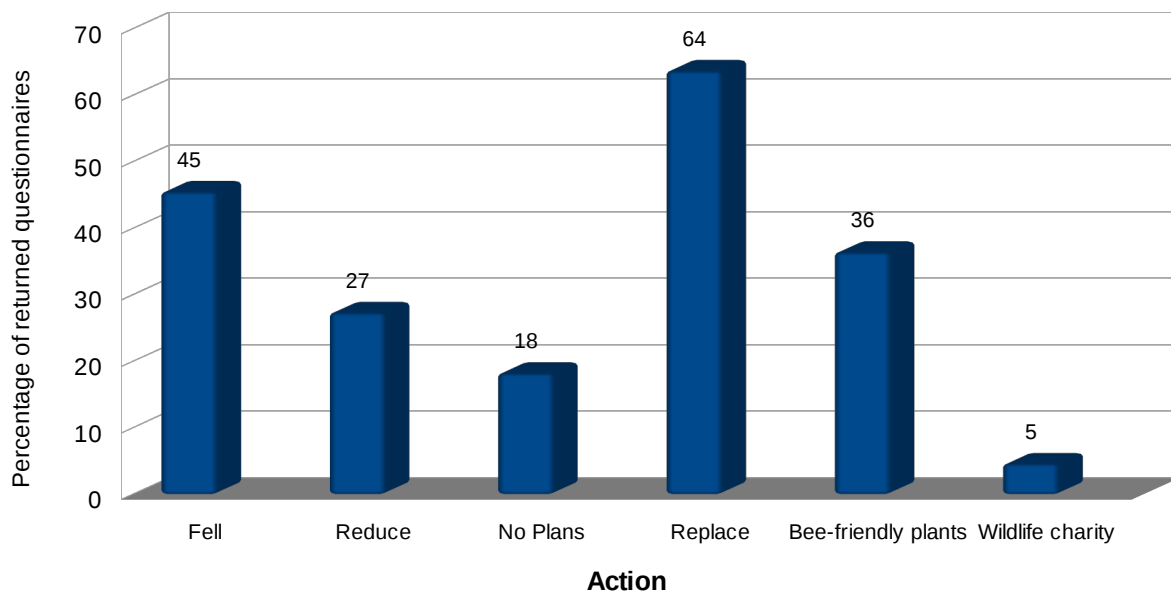


Figure 6 – Actions proposed by residents if TPO 8/1970 were revoked (and tree/s were felled). The action 'bee-friendly plants' means that the resident would be able to have more plant diversity, particularly those attractive to bees, and 'wildlife charity' means making a donation to charity as compensation for felling a tree. Note: For the action 'fell', this includes own trees or neighbours' trees.

A number of residents reported that they wanted to fell the trees and this finding is unsurprising in the context of the nuisance factors reported (see section 3.4 above). This survey suggests that 6 trees (of 35) are likely to be felled in the event of the TPO being revoked, although there is no evidence that the trees would be felled at once. Neighbours would like a further 3 trees felled – although it is not clear from the survey whether these trees have already been counted by owners stating they would wish to fell trees. Of those saying they would fell the trees, 64% would replace the felled tree/s with a tree/s more suitable for their garden and available space, 36% would grow more bee-friendly plants, and 5% would contribute a donation to a wildlife charity; 2 residents said they wish to reduce their trees by about 50%.

A surprising 18% had no plans to manage their protected trees. This is worrying in the context of the legal obligation with regard to loss, injury or damage arising from the protected trees, bearing in mind that these trees are more than 45 years old. But it should also be seen in the light of expense - the expense of managing a potentially very large tree to make it safe – of which 59% expressed a concern.

3.7 Support by Steeple Aston Parish Council

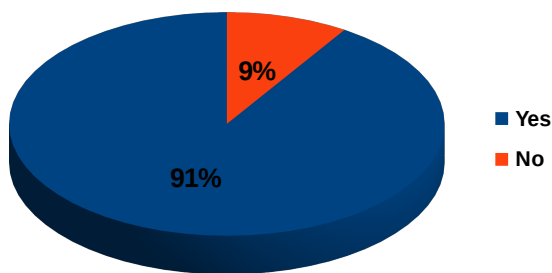


Figure 7 – Would you like Steeple Aston Parish Council to do more to require Cherwell District Council to review/ revoke TPO 8/1970? Percentages for and against as shown by colour key.

There is overwhelming support from 91% of respondents for the 'motion' that Steeple Aston Parish Council should do more to require Cherwell District Council to review/ revoke TPO 8/1970. Only 2 respondents did not want the Parish Council to do more to support residents in this matter.

5 – Conclusions

In conclusion the results of this survey illustrate clearly the level of frustration and dissatisfaction with TPO 8/1970 and show that 86% of respondents would like it revoked. Furthermore, 91% of respondents would like Steeple Aston Parish Council to do more to support the case for review/ revocation.

The case for the imposition of TPO 8/1970 may have been valid in 1970, but 45 years later it has become inappropriate and very unpopular; to the Grange Park residents, 68% of respondents see little or no benefit in terms of the wider 'amenity value' of the protected trees and this weakens the case for maintaining the TPO.

Steeple Aston Parish Council are therefore requested to address the concerns of a substantial number of households in the village and to play an active part in having TPO 8/1970 reviewed and revoked. According to government guidance on good practice in the maintenance of tree preservation orders there is a clear requirement, at the very least, to review TPO 8/1970. This is long overdue and there is an overwhelming case for public consultation in such a review.

Finally, the purpose of this survey is not to make a case for felling the trees in Grange Park. It is simply to give the residents and owners of the trees the responsibility of managing them responsibly, unfettered by the restrictions currently imposed by Cherwell

District Council.

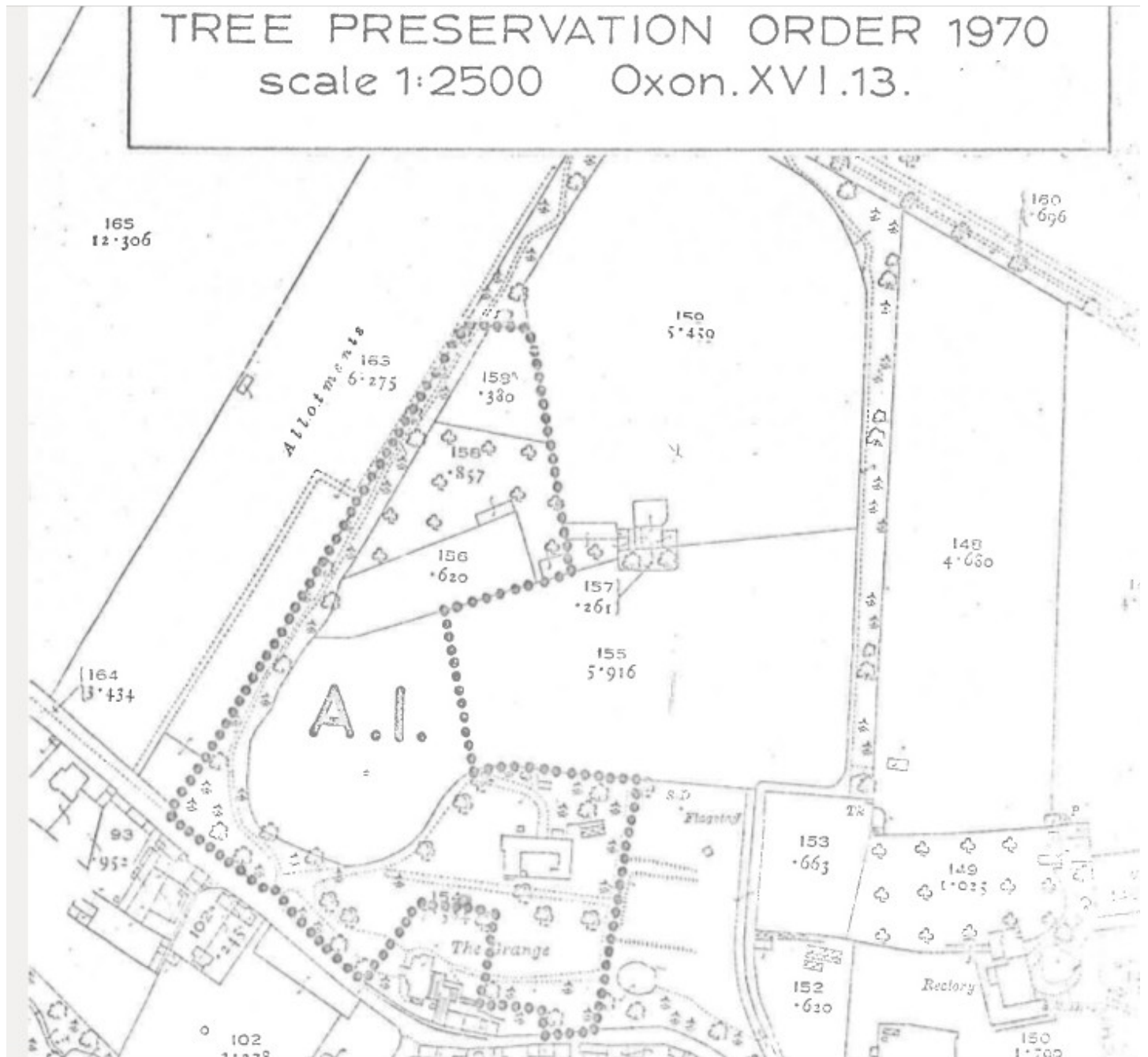
The authors of this report are residents of Grange Park.

References

1. *Aesculus hippocastanum*https://en.wikipedia.org/wiki/Aesculus_hippocastanum
2. What is the purpose of a Tree Preservation Order (TPO)? <http://www.cherwell.gov.uk/index.cfm?articleid=7223#purpose>
3. <http://planningguidance.communities.gov.uk/blog/guidance/tree-preservation-orders/tree-preservation-orders-general/>

Authors' postscript: It is apparently not possible to obtain a (PDF) copy of TPO 8/1970 from the CDC website. If you require a copy, please email the Arboricultural Officer Caroline Morrey caroline.morrey@cherwellandsouthnorthants.gov.uk to request a copy. Alternatively, if you email me andy@allen-clan.uk I shall be happy to email you a copy.

Appendix 1 – Sketch map showing area covered by TPO 8/1970 (taken from Oxfordshire County Council document provided by Caroline Morrey, CDC Planning Department)



Appendix 2 – Questionnaire format

1. How many trees in your garden are affected by the Area Tree Preservation Order TPO 8/1970?

State number of protected trees:

2. In your view, how much significant amenity benefit to the local area does/do the protected tree/s in your garden bring?

- None
- A little
- Some
- A lot

Give your reason(s):

.....

3. If you have protected trees, what benefits do they bring to your garden specifically?

- More wildlife
- Screening from neighbours

Please comment on other benefits your protected tree/s bring/s to your garden:

.....

.....

4. If you have protected trees, what problems (if any) are associated with them?

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my house
- The tree/s is/are too close to my neighbour's house
- Roots are causing, or have potential to cause, damage to:
 - Drainage
 - House foundations
 - Garden structures
 - Other problems - state what:

.....

- Debris from the tree/s is causing a nuisance
Please state nature of nuisance:.....

.....

- Pruning the tree/s has invigorated growth and the problems are worse
- Lack of light and air (enter approx % of your garden which is affected):.....
- The expense of managing a potentially very large tree to make it safe
- The tree/s are forest trees and not suitable for the garden
- The value of the property is being affected

Other problems with the protected tree/s are:

.....

.....

5. Would you like TPO 8/1970 to be revoked?

- YES
- NO
- Don't Know

If YES, what would you like to do with the protected tree/s in your garden?

- The protected tree/s to be felled
State number of trees:

- To reduce the size of the tree/s; state approx percentage of overall tree size:.....
- Currently no plans to manage the tree/s

6. If you felled the protected tree/s, what would you be prepared to do in order to help wildlife in your garden?

- Replace the felled tree/s with a tree/s more suitable for my garden and available space
- Plant more bee-friendly flowering plants which could not be grown owing to conditions created by the protected tree/s
- Make a contribution to a wildlife charity
- Don't know at present time

+++++

Cherwell District Council is responsible for Planning Applications under **TPO 8/1970**.

Would you like Steeple Aston Parish Council to do more to require Cherwell District Council to review/revoke TPO 8/1970?

- YES
- NO
- Don't Know

Appendix 3 – Respondents' comments

Respondent's comments submitted under various sections of the questionnaire are reproduced *verbatim* below.

Use of caps and other notation is per respondent; includes the number of protected trees owned by respondent for context; also any boxes ticked for each question (see the questionnaire format in Appendix 2 for further clarification).

Q 2 In your view, how much significant amenity benefit to the local area does/do the protected tree/s in your garden bring?

Options: None/A little/Some/A lot

Gives your reasons: [free comment area]

'Some' ticked (4 trees)

“3 of the trees form part of a screen, however there is no need for the trees involved to be so large”

'None' ticked (1 tree)

“ The Tree (X Grange Park) is a sycamore (a weed). BUT is now at least 60ft high & does NOTHING FOR THE GARDEN”

'A little' ticked (1 tree)

“Good for wildlife and environment”

'None' ticked (1 tree)

“Tree is now overbearing – within 15ft of existing building.”

'None' ticked (1 tree)

“No benefit – no reason”

'A little' ticked (1 tree)

No comments

'None' ticked (no tree) 'Did have three but they were diseased and we were allowed to fell them as they were dangerous.'

No comments

'A little' ticked (1 tree)

No comments

'None' assumed (response was typed out) (2 trees)

“ I can't honestly believe the trees in my garden provide any (let alone significant) amenity benefit to anyone in the local vicinity since they affect my vista and beyond that are visible by the neighbour each side. The trees in my garden would not stand out significantly from further afield (such as from the main road) as they would be drowned out by the many and varied trees found in the substantial woods metres away. They are not visible by the wider public as the field onto which my garden backs is owned by a private individual.”

'A little' ticked (no tree)

As above, we have no TPO protected trees in our garden but it's good to have 'a few' mature trees in Grange Park.

'None' ticked (3 trees)

“They are so big now, they dominate the top of the close”

No box ticked (response was typed out) (No trees)

“A visual statement halfway along Grange Park.”

'Some' ticked (5 trees)

“Appearance & enjoyment of our garden & Grange Park itself.”

'None' ticked

“NOT VISIBLE TO ANYONE ELSE OTHER THAN NEIGHBOUR”

'Some' ticked (no trees)

“If we had one – I think they add considerable beauty and character to the area – but shade more than one person's garden! Shade at one time of day in our garden is more than compensated for by being able to look up at this magnificent tree.”

'None' ticked (3-5 trees)

“Too big, block light, stop other plants from growing, block gutters with debris”

'A little' ticked (1 tree)
No comments

'None' ticked (1 tree)
"WE HAVE ALREADY HAD TWO OTHERS FELLED DUE TO DISEASE/OLD AGE, ONE OF WHICH WE ARE REQUIRED TO REPLACE WITH THE SAME SPECIES!"

'Some' ticked ("probably 2" trees)
"Climate control, beautiful to look at, marks the changing seasons, home to wildlife, generally pleasing."

'Some' ticked (3 trees – respondent was ambiguous about which trees the TPO applied to)
"My trees are beside the road and pavement & look pleasant for passers by"

'A lot' ticked (This respondent has property outside the TPO area, i.e. no protected trees)
"Many of them are large and can be seen from the wider neighbourhood, enhancing the village."

**Q 3 If you have protected trees, what benefits do they bring to your garden specifically?
Please comment on other benefits tree/s bring/s to your garden:**

'More Wildlife' ticked (4 trees)
No comments

No box ticked (1 tree)
" NEITHER"

No box ticked (1 tree)
"I don't think they bring any specific benefit to my garden"

No box to ticked (1 tree)
"None – overshadows our small garden – and our neighbour's, a Horse Chestnut has no benefits – nor is it indigenous – being imported from Turkey 400 years ago – not English"

No box ticked (1 tree)
"No benefit at all"

'More wildlife' ticked (1 tree)
No comments

No box ticked (no tree) "Did have three but they were diseased and we were allowed to fell them as they were dangerous."
No comments

'More wildlife' ticked (1 tree)
"Bats like it!"

'None' assumed (response was typed out) (2 trees)
"More pigeons possibly? I'm not a gardener but I've yet to find a use for deluge of indiscriminately placed pigeon excrement. This is just another nuisance factor flowing from the presence of these trees. They are so tall that I can't do anything to temper the prevalence [sic] of pigeons which I suspect deters, rather than attracting, other wildlife. Furthermore, I have a genuine concern that pigeon poo is another health risk directly attributable to these trees. As before, these trees only block my view, they don't really provide any screening function as one of them is positioned in the middle of the garden. They possibly provide some welcome shade in the summer offset against the risk of the aforementioned fowl/foul! faeces. "

No box ticked (no tree)
"N/A"

'Screening from neighbours' ticked (3 trees)
"A copious supply of leaf mould."

More wildlife (response was typed out) (No trees)
No comments

'More wildlife' and 'Screening from neighbours' ticked (5 trees)
"Shade"

'More wildlife' ticked (1 tree)
"None"

No boxes ticked (no trees)
No comments

'More wildlife' ticked (3-5 trees)
"- But this could be achieved with much smaller, more appropriate trees"

'More wildlife' ticked (1 tree)
No comments

No boxes ticked (1 tree)
"NONE"

No boxes ticked ("probably 2" trees)
"Pleasure from observing wildlife; changing seasons, the sense that the tree has been there a long time"

'Screening from neighbours' ticked (3 trees – respondent was ambiguous about which trees the TPO applied to)
"Wildlife – I don't know. They bring shade, blossom & plums as well as looking pretty"

No boxes ticked (This respondent has property outside the TPO area, i.e. no protected trees)
"OUR NEIGHBOURS' PROTECTED TREES PROVIDE YEAR-ROUND SCREENING AND PRIVACY FOR BOTH PARTIES"

Q 4 If you have protected trees, what problems (if any) are associated with them?

(4 trees) Ticked by respondent:

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my house
- The tree/s is/are too close to my neighbours household
- Debris from the tree/s is causing a nuisance

Please state nature of nuisance:

"The leaf drop in the autumn, while expected when you have trees in your garden, completely swamps our lawn and beds as we have 4 extremely large trees in the garden"

- Pruning the tree/s has invigorated growth and the problems are worse
- Lack of light and air (enter approx % of your garden which is affected): "80-90%"
- The tree/s are forest trees and not suitable for the garden

(No further comments)

(1 tree) Ticked by respondent:

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my house

"As is too close [to house] for trees height. As we have prevailing westerly winds if tree is uprooted it will fall onto the house. PAST ITS BEST & BRANCHES snap off & nearly injured my 2 grandchildren."

- Debris from the tree/s is causing a nuisance

Please state nature of nuisance:

"All the 'wings' that come down [from sycamore] – if not pulled out of lawn flower beds etc once 2 leaves start showing – then a potential for another to grow. A big problem as so many 'wings'."

- Pruning the tree/s has invigorated growth and the problems are worse
- The expense of managing a potentially very large tree to make it safe
- The tree/s are forest trees and not suitable for the garden
- The value of the property

(No further comments)

(1 tree) Ticked by respondent:

- The tree/s is/are too large for my garden
- Debris from the tree/s is causing a nuisance

Please state nature of nuisance:

"Lots of leaves to sweep up and dispose of. Regular fall of small branches."

- Lack of light and air (enter approx % of your garden which is affected): “65%”
- The expense of managing a potentially very large tree to make it safe

“Put most of garden into shade thus difficult to grow other plants”.

“Cannot manage them effectively without applying for planning permission.”

(1 tree) Ticked by respondent:

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my house
- The tree/s is/are too close to my neighbours household
- Roots are causing, or have potential to cause, damage to
 - Drainage
 - House foundations
 - Garden structures
- Debris from the tree/s is causing a nuisance

Please state nature of nuisance:
“The tree is Horse Chestnut – it sheds throughout the year – sticky bud casing-petals, candelabra, conkers – leaves.
- Lack of light and air (enter approx % of your garden which is affected): “60%”
- The expense of managing a potentially very large tree to make it safe
- The tree/s are forest trees and not suitable for the garden
- The value of the property is being affected

(1 tree) Ticked by respondent:

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my house
- The tree/s is/are too close to my neighbour's house
- Roots are causing, or have potential to cause, damage to
 - Drainage
 - House foundations
- Debris from the tree/s is causing a nuisance

Please state nature of nuisance:
“As it is a beech tree it sheds its seed pods and leaves too.”
- Pruning the tree/s has invigorated growth and the problems are worse
- Lack of light and air (enter approx % of your garden which is affected): “2%?” (maybe a typo?)
- The tree/s are forest trees and not suitable for the garden

“As it is close to my neighbour's garden its leaves and seeds are probably a nuisance for him too.”

(1 tree) Ticked by respondent:

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my house
- Roots are causing, or have potential to cause, damage to
 - Drainage “?”
 - House foundations “?”
- Debris from the tree/s is causing a nuisance

Please state nature of nuisance:
“ Conkers leaves need to be removed before lawn can be mown”
- The expense of managing a potentially very large tree to make it safe
- The value of the property is being affected “?”

“Should be regularly “reduced” for insurance purposes”

(no tree) Ticked by respondent:

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my house
- The tree/s is/are too close to my neighbour's house
- Roots are causing, or have potential to cause, damage to
 - Drainage
 - House foundations
- Debris from the tree/s is causing a nuisance

Please state nature of nuisance:
“huge amount of debris/leaves off neighbouring trees in our garden”
- Lack of light and air (enter approx % of your garden which is affected): “ no comment”
- The expense of managing a potentially very large tree to make it safe
- The tree/s are forest trees and not suitable for the garden

No further comment.

(1 tree) Ticked by respondent:

- The tree/s is/are too large for my garden
- Debris from the tree/s is causing a nuisance
Please state nature of nuisance:
“MOUNTAINS OF BEECH NUTS & MASTS & LEAVES TAKE WEEKS TO CLEAR IN AUTUMN”
- Lack of light and air (enter approx % of your garden which is affected): “30%”
- The tree/s are forest trees and not suitable for the garden

(response was typed out) (2 trees)

“I dread windy days, last year several branches came down, including one that was 5m long, directly into the garden, other branches/debris were also scattered into the neighbouring field. Just today I have potted around the garden and have gathered several 1m+ lengths of branch that have obviously fallen recently. The roots cause substantial problems as they run under the entire garden limiting what can be undertaken: you permanently have to work around them. And I have little knowledge of the impact these may be having on the foundations/structure of the house. Pruning doesn't really address the issue as trees that wouldn't be out of place in a forest are hardly an appropriate addition to a garden attached to a residential property in a development of other similar properties. These are unmanageable without the services of professionals (after you've satisfied the requisite requirements of the local Council, which is not without expense/inconvenience either) Furthermore, the authorised pruning is often out of date by the date the consent has been obtained due to the fact that the process itself is slow and therefore the trees are already into their next growing cycle.”

(no tree) Ticked by respondent (respondent refers to neighbour's trees)

- The tree/s is/are too close to my house
“ - if windy (very) would fall on our house – we have moved our 'used' bedrooms furthest from trees”
- The tree/s is/are too close to my neighbour's house
- Roots are causing, or have potential to cause, damage to
 - Drainage
- Debris from the tree/s is causing a nuisance
Please state nature of nuisance:
“Debris from neighbours tree is continuous leaves, seeds (lot & lots), pollen dropping on our car and attracting wasps on car (we have children), debris drops on car causing problems & damage. Drains on road fills & need regular cleaning by ourselves - lots of moss of roof – gutters always full”
- Pruning the tree/s has invigorated growth and the problems are worse
“Pruning has been done but made no difference long term”
- Lack of light and air (enter approx % of your garden which is affected): “front garden”
- The expense of managing a potentially very large tree to make it safe
“This was our neighbours response when re raised our concerns re the overhanging trees”
- The tree/s are forest trees and not suitable for the garden
“to be so close to residential property.”

(3 trees) Ticked by respondent:

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my house
- Roots are causing, or have potential to cause, damage to
 - Drainage
 - Other problems “A high amount of vegetation/moss etc on the house/roof”
- Debris from the tree/s is causing a nuisance
Please state nature of nuisance:
“moss, clearing gutters, roof valleys, tiles, [illegible], dampness
- The expense of managing a potentially very large tree to make it safe
- The tree/s are forest trees and not suitable for the garden

Other problems: “Roosting birds covering the driveway/cars with faeces”

(response was typed out) (No trees)

“a. yes there have been problems concerning roots in drainage, but it was never determined which trees/shrubs caused the problem. The situation has been rectified.

b. No problems with house foundations

c. Drive affected – yes

d. Of course there are problems with leaves, small twigs etc, but that is to be expected with trees, and in the case of the sycamore, summer 'drip' similar to that associated with common lime trees.

e. Not aware that work on the tree has invigorated growth above normal.

f. Lack of light: probably minimal

e [sic]. Expense: yes (see below)

f. Yes, forest trees are not the most appropriate alongside housing development.

g. Not aware the property value is affected

“No XX [redacted] has had considerable problems as a result of root invasion from the tree nearest the driveway. This has proved expensive and the problem recurring. In spite of this, and although it is certainly true that large forest trees are not ideal adjacent to housing development, many of them in my view, do add to a kinder visual picture among houses lacking architectural distinction! If all were removed the visual effect in Grange Park would be substantially altered. Maybe this is of no importance?”

(5 trees) Ticked by respondent:

- Roots are causing, or have potential to cause, damage to
 - Drainage
- Debris from the tree/s is causing a nuisance
Please state nature of nuisance:
“neighbours' huge lime tree lots of dead branches (& leaves) falling into my garden”
- Lack of light and air (enter approx % of your garden which is affected): “neighbour's tree”

No further comment.

(1 tree) Ticked by respondent:

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my house
- The tree/s is/are too close to my neighbour's house
- Lack of light and air (enter approx % of your garden which is affected): “30/40%”
- The expense of managing a potentially very large tree to make it safe
- The tree/s are forest trees and not suitable for the garden
- The value of the property is being affected

No further comment.

(no trees) No boxes ticked by this respondent.

(3-5 trees) Ticked by respondent:

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my house
- Roots are causing, or have potential to cause, damage to
 - Garden structures
“wall & fence destroyed between 2 gardens as giant tree in the neighbours garden c 3m from our house encroaches”
- Debris from the tree/s is causing a nuisance
Please state nature of nuisance:
“- Damage to roof, drains & gutters blocked causing roof to leak despite regular gutter clearance (at risk to life and limb)”
- Pruning the tree/s has invigorated growth and the problems are worse
- The expense of managing a potentially very large tree to make it safe
“- especially when most damaging tree isn't even on our land & our neighbours can't afford to sort it”
- The tree/s are forest trees and not suitable for the garden
- The value of the property is being affected
“ failed sales due to problem tree”

“Confusion over issues with individual TPOs & group conservation areas when phoning council who misinformed us.”

(1 tree) Ticked by respondent:

- The tree/s is/are too large for my garden
- The tree/s is/are too close to my neighbour's house
- Roots are causing, or have potential to cause, damage to
 - Drainage
 - House foundations
 - Garden structures
- Debris from the tree/s is causing a nuisance
Please state nature of nuisance:
“LEAVES (A LARGE AMOUNT), HONEYDEW, BRANCHES
- The expense of managing a potentially very large tree to make it safe
- The tree/s are forest trees and not suitable for the garden

No further comments

(1 tree) Ticked by respondent:

- The tree/s is/are too large for my garden

- The tree/s is/are too close to my house
- Roots are causing, or have potential to cause, damage to
 - Drainage
 - House foundations
 - Garden structures
 - Other problems: “Over [illegible] cables & [illegible]”
- Debris from the tree/s is causing a nuisance
 - Please state nature of nuisance:
 - “Falling branches, nearly caused injury to [illegible]”
 - “LEAVES (A LARGE AMOUNT) HONEYDEW, BRANCHES
- The expense of managing a potentially very large tree to make it safe
- The tree/s are forest trees and not suitable for the garden

No further comments

(“probably 2” trees) Ticked by respondent:

- Debris from the tree/s is causing a nuisance

Please state nature of nuisance:

“Seeds from the Sycamore tree, difficult to eradicate completely if come across partly grown “trees” which I do not want”

No further comment.

(3 trees – respondent was ambiguous about which trees the TPO applied to)
“no problems”

(This respondent has property outside the TPO area, i.e. no protected trees)
“N/A”

Q 5 Would you like TPO 8.1970 to be revoked?

Only comments related intentions: trees to be felled and % of reduction (where comments have been made)

(4 trees)

The protected tree to be felled. State number of trees: “1”

To reduce the size of the tree/s: state approx percentage of overall tree size: “no comment”

(1 tree)

The protected tree to be felled. State number of trees: “1”

(1 tree)

To reduce the size of the tree/s: state approx percentage of overall tree size: “50%”

(1 tree)

The protected tree to be felled. State number of trees: “1”

(1 tree)

The protected tree to be felled. State number of trees: “1”

(1 tree)

To reduce the size of the tree/s: state approx percentage of overall tree size: “?”

(1 tree)

Currently no plans to manage the tree/s.

(0 own, 2 neighbour trees)

The protected tree to be felled. State number of trees: “2”

To reduce the size of the tree/s: state approx percentage of overall tree size: “50%”

(3 trees)

The protected tree to be felled. State number of trees: “no comment”

(0 trees)

No: but a more flexible approach would be of value: i.e. where there are several trees in close proximity in one garden, or very close to a house, it might make sense to remove one or some. For trees with major problems, particularly when disease/virus infections are a factor, swifter decision-making would be beneficial. In these cases, the amenity value of the trees does become questionable.

(5 trees)

Currently no plans to manage the tree/s

(1 tree)

The protected tree to be felled. State number of trees: "1"

(0 trees)

Comment on **Q 5 Would you like TPO 8/1970 to be revoked.**

Respondent had ticked: 'No' "BECAUSE – I would like people to be able to apply for reasonable management practices but not chop all trees down at once. But without knowing what TPO 8/1970 actually says, difficult to know where to stand on this."

(3-5)

The protected tree to be felled. State number of trees: "1 in neighbour's garden"

(1 tree)

The protected tree to be felled. State number of trees: "1"

(1 tree)

To reduce the size of the tree/s: state approx percentage of overall tree size: "20%"

(probably 2)

Currently no plans to manage the tree/s.

(3 or 40 – ambiguity)

Currently no plans to manage the tree/s

Q 6 If you felled the protected tree/s, what would you be prepared to do in order to help wildlife in your garden?

"New trees are fast developing in the fallow land next to our garden."

"I would have thought that if all the trees adjacent to no XX [redacted] were removed, it would be very difficult to establish another in the space given the amount of root activity that must exist. One imagines major groundwork to remove roots as well as the boles of the trees would be expensive."

OTHER WRITTEN COMMENTS

"Re: Parish council interventions; I personally would not wish the TPO rescinded, but if the PC could encourage CDC to take more flexible and speedier approach this could be helpful...and encourage them to consider individual situations rather than applying 'blanket' coverage of the regulations."

Would you like Steeple Aston Parish Council to do more to require Cherwell District council to review/revoke TPO 8/1970

(0 trees)

Respondent ticked YES " But I think they should have more input on individual decisions. Because our Parish council can bring more local knowledge to bear."

Although this questionnaire is of most relevance to those with such trees in our gardens, the presence of such trees affects everyone in Grange Park - we all see/are affected by them. One of the reasons we chose to settle in Grange Park was the presence of many such beautiful trees."

(0 trees)

" I think that the case by case basis of decision by CDC's arboriculturalist is acceptable so long as they make reasonable decisions."

Some comments from a respondent have been omitted at their request.