

7. CONTINUATION SHEET 1

A. IDENTIFICATION OF TREES AND DESCRIPTION OF WORKS

G9 T2: Fell Western Balsam Poplar (Lombardy Poplar) tree to ground level and kill the stump to:

- (1) Avoid all potential future structural problems caused by G9/T2 tree roots under the house, garage and hard standing areas between 50 - 60 Pinehurst Park,
- (2) Avoid all potential future damage and blockages caused by G9/T2 tree roots to any water supply pipes or waste water drains between 50 - 60 Pinehurst Park,
- (3) Avoid all potential future damage and blockages caused by G9/T2 tree roots to any other underground pipes, drains, cables or wiring used by any other utility service between 50 - 60 Pinehurst Park,
- (4) Avoid all potential future damage caused by G9/T2 tree roots to the tarmac surface of the public footpath between 50 to 60 Pinehurst Park,
- (5) Straighten out the rear fence to match the top boundary line to achieve uninterrupted access to the whole of the rear garden plot. *at Number 54.*

New poplar tree suckers are now appearing in the rear garden and patio, side path and front drive of No 54 which has never happened before. New poplar tree suckers are now appearing in the back lawn and patio of 52 Pinehurst Park which has not happened since their trees were felled in 1987/88. Zero street scene and landscape benefit from G9 T1 & T2.

Planning permission was granted in 1975 to build the houses too close to the trees. The top boundary line at No 54 was also permitted too close to the trees, which now runs through the middle of tree T2, and touches T1 rendering the top area of the rear garden plot at Number 54 inaccessible and totally unusable. The garden plot is too small to accommodate these sky scraper like trees. G9 T1 & T2 fail the modern day recommended minimum planting distance for a poplar tree from a dwelling. Lombardy poplar trees over 50 years old are notoriously structurally weak and dangerous.

B. REPLANTING

First choice would be not to replace anything as precedents have already been set with neighbour's trees. As neither G9 T1 or G9 T2 meet the criteria for a tree preservation order to be in place - the undemocratic decision taken by a single local authority employee nearly 50 years ago, - See Appendix Five, - no condition to replace G9/T2 is required.

Second choice would be to pay the British Woodland Trust to plant two new trees at a much more appropriate location elsewhere in the country. They have the expert knowledge, tools and equipment to upkeep the trees to a professional standard which I could never achieve, . . . without having to fill out time consuming Local Planning Authority forms, and having an 8 week delay assuming permission is granted before any work can be undertaken. See Appendix Three.

Third Choice, . . . in order to get the application validated, a replacement tree would either be an Upright Hornbeam Tree, . . . *Carpinus Betulus 'Frans Fontaine'* or a Field Maple, . . . *Acer Campestre*.

7. CONTINUATION SHEET 2

REASONS FOR WORK

ARUN DC PLANNING PERMISSION PRECEDENTS ALREADY SET

I refer to the following three planning applications:

AW/115/87/T - 52 Pinehurst Park - Appendix Six
AW/216/87/T - 50 Pinehurst Park - Appendix Seven
AW/146/87/T - 53 Pinehurst Park - Appendix Eight

All three of these planning applications to fell trees to ground level were granted permission back in 1987 because of new tree shoots/suckers being too close to the dwelling, and the owners were concerned about damage to the dwelling foundations.

All of the trees have been felled, and not one has been replaced.

Arun District Council have set the precedent three times over, . . . trees under this TPO can be felled and don't need to be replaced.

The reason for my application to fell tree G9/T2 is exactly the same as the three listed above.

If you reach any different decision to the three above, it would be extremely inconsistent, not transparent and totally unfair.

As no replacement trees have been planted for the three applications above, no such condition should be attached to this permission to plant a replacement.

I fully support 100% the common-sense approach my neighbours have taken with the decision not to plant replacement trees in their gardens.

These ugly sky scraper like trees reduce our ability to be able to get the full benefit from big blue skies when they occur.

These ugly sky scraper like trees deny us our Right to Light by making the back of the houses dark, cause excessive shade in the gardens and stunt the growth of our bedding plants and shrubs in our back gardens.

These ugly sky scraper trees contribute no beauty to the street scene, or contribute any special landscape feature to the area, and totally ruin our outlook from the rear of the house, . . . they are completely undeserving of the undemocratic officer decision to protect them from being felled by law. See Appendix Five and Seventeen.

Enough said, . . . the precedents have already been set. I could leave the justification to fell the tree and not plant replacements for either G9 T1 or T2 at that.

However, I will provide further information to support the application as follows:

7. CONTINUATION SHEET 3

2. COMPLETED TREE WORK

The work applied for under application AW/224/24/T has been completed earlier this year to fell diseased tree G9 T1 to ground level.

This has had the unintended consequence of creating more space and light for G9 T2 which has taken off like a rocket with new growth upwards and on both sides. Neither tree has ever shown this much new growth, this fast ever before.

3. PLANNING PERMISSION HISTORY

I have requested copies of paperwork from Arun District Council, so thanks to Customer Services, and Susan Hayley, Planning Degree Apprentice for their help and assistance. The dwellings in Pinehurst Park were granted planning permission under application number P/71/75. Please see Appendix Four.

Condition 8 of that permission prevents any tree on site on the exact date of that permission being granted in 1975 being felled, pruned or lopped without local authority consent.

It would appear that many of the first more enlightened home owners to move in to the new dwellings back in the 1970's applied to Arun DC to fell their trees.

For whatever reason, it appears Arun District Council wanted to protect Condition 8 of the original planning permission, which resulted in the Tree Preservation Order being put in place in 1978 which protects the trees in law. Please see Appendix Five.

4. UNIDENTIFIED TREE AGE

I have approached Arun District Council to find out a date of when these poplar trees were actually planted, but the answer came back this is not on file.

It is disappointing Arun DC didn't make the effort to find out more about the trees or record their approximate age back in 1975 given Poplar trees have one of the shortest life spans of any tree in Europe of only 50 years.

I have already established above Arun DC prohibited the trees from being felled when planning permission was granted to build the estate in 1975, . . . so, . . . the poplar trees were already here when planning permission was granted. See Appendix Four.

The trees were not planted when the dwellings were built, . . . the trees were already here.

I have proven therefore all the poplar trees now over 50 years old, but I can't be any more precise than that.

7. CONTINUATION SHEET 4

The normal maximum life expectancy for a Lombardy poplar tree is 50 years, so I can categorically state G9 T2 is already on borrowed time before it dies from natural causes. The tree could also just keel over, or the tree trunk could just snap at any time in a storm as elderly poplar trees have a proven track record to do. See Appendix Nine.

5. NEW POPLAR TREE SUCKERS ARE SPROUTING – SEE APPENDIX TEN TO TWENTY FOUR

Since tree G9 T1 has been felled, T2 has exploded with rapid, new intense growth. New poplar tree suckers are now appearing in my back garden, in the cement cracks between our patio paving slabs, to the side of our path that runs beside the garage and in the cracks between the brickwork on the front drive.

New poplar tree suckers are now also appearing in the back garden lawn and patio of our neighbours at Number 52, Pinehurst Park.

This is all new. Having lived here for 19 years, none of this has never happened before.

I can confirm having lived here for 19 years that tree G9 T2 is a male Lombardy poplar tree as it produces red coloured catkins in spring before it bursts into leaf. The new shoots my neighbours and I are experiencing are suckers being thrown up out of existing roots.

Intense root suckering is a well-known characteristic of poplar trees, and they can quickly spread and cover any open land like a lawn in a few years if left unchecked.

I apply to fell G9 T2 to avoid any risk of a forest of Lombardy poplar trees becoming established between 50 - 60 Pinehurst Park, . . . with their fast growing, vigorous and aggressive root systems, if myself and my neighbours are concerned about the root system of just one tree, I shudder to think what it would be like with many of them competing underground for water and nutrients. The roots from multiple trees would be spreading further than ever before, and the potential damage even greater.

Please refer to Appendices Twenty Five through to Thirty Two for supporting information about tree planting distances from dwellings, and general tree root information and the problems they cause. I have tried to access information from trusted sources such as The Association of British Insurers, The Royal Horticultural Society, an international structural repair company, Horsham District Council Building Control Team, a garden design company, Arboricultural Association, a drainage plumbing company and a solicitor.

There is no evidence of cracks or damage showing at the moment to the dwelling or garage at either number 54 or 52 Pinehurst Park. However, the new suckers are all far too close for comfort to both the houses and garages.

Please bear in mind three planning applications have already been granted permission for my neighbours for this exact same reason. See Appendices Six, Seven and Eight.

7. CONTINUATION SHEET 5

To be absolutely 100% categorically crystal clear, the situation I want to avoid is being drawn into conflict with any of my neighbours over legal liability for any damage caused by the tree roots from G9/T2. Please refer to Appendix Thirty Two.

I want to avoid my neighbours having to put in an insurance claim for subsidence, structural damage, broken or blocked drains or water supply pipes or any damage to any other type of pipe, cable or wiring, which is as a result of my tree root, . . . which then turns into a claim against me, . . . which I will then have to turn into a claim against Arun DC if this application to fell G9/T2 is refused.

I emphasize once again I want to fell tree G9/T2 to avoid all future potential problems caused by these tree roots to any house structurally, or to any water supply pipe, waste water drain or pipe, or to any other type of pipe, cable or wiring belonging to any other utility service.

The sucker furthest away from the trunk is currently just one meter away from the public pavement. This is the best part of 34 meters in distance. Please see Appendix Ten, Eleven, Twenty Six and Thirty.

I refer to Appendix Ten and Eleven. This is clear evidence of how far the tree roots stretch. I can't confirm if the root goes further than that and is already burrowing under the public pavement, and a new shoot has yet to find its way to the surface.

I refer to Appendix Twenty Six for information obtained from The Royal Horticultural Society, who may know a thing or two about plants and trees, who state that tree roots can spread up to three times the height of the tree.

I refer to Appendix Thirty for information obtained from the Arboricultural Association, who may know a thing or two about trees, who state it is common for tree roots to develop on the underside of hard surfaces, which can lead to cracks developing through the physical pressure.

Equally, no tree or planning officer could argue the roots don't touch the public footpath if they want to argue a case in order to keep the tree.

I want to fell tree G9/T2 to avoid all potential damage caused by these tree roots to the tarmac surface of the public footpath. I do not want to be legally liable for any slips, trips and falls as I have failed in my duty of care as the tree owner.

I also can't confirm if some of the roots have gone off diagonally from the tree trunk and have already touched the foundations of any neighbouring property, but they are getting far too close for comfort being in the back garden lawn and patio at Number 52. Thirty plus meters is a long way.

No tree or planning officer could argue that they don't, . . . because you can't see them.

7. CONTINUATION SHEET 6

I do not want to be legally liable for causing damage to a neighbour's property which is another failure in my duty of care as the tree owner.

6. HOW DO TREE ROOTS CAUSE STRUCTURAL PROBLEMS ? – APPENDICES TWENTY FIVE TO THIRTY ONE

- a. Tree roots always reach out further from the tree in search of moisture and nutrients.
- b. Tree roots always follow the path of least resistance and usually redirect when they hit something solid.
- c. Tree roots have the potential to invade walls that support a structure leading to the formation of cracks and consequent destruction of the foundation. Any structural engineer can confirm foundation repairs tend to be expensive, and may ultimately lead to the structural failing of the building.
- d. Growing roots tend to push against walls that support a structure causing bowed or leaning walls. This can be dangerous as these walls can pose a serious risk to the occupier of the dwelling, and may require professional support. See Appendix Fifteen and Sixteen.
- e. If the root can find a crack, a break or hole in any concrete or water drain or pipe, they are likely to exploit that opening and grow into it. Please refer to Appendix Thirty One for more information.
- f. If the drain is blocked, a professional drainage company would need to either reline, or totally replace the drain. See Appendix Thirty, - Arboricultural Association.
- g. I refer to Appendix Thirty One, which names and shames Poplar as one type of tree not to plant too close to drains, . . . only of course, . . . in the case of Pinehurst Park, the houses gained planning permission to be built too close to the trees, which were then prevented from being felled by the Local Planning Authority TPO. Great work Arun DC !
- h. If the roots are established and strong enough, they will widen the gap over time and continue to grow through it.
- i. Tree roots are incredibly strong, and there isn't much that can hinder their growth.
- j. Larger older trees have more aggressive and vigorous roots which never stop growing all the time the tree is alive.
- k. The stronger the tree roots are the more damage they are likely to inflict.
- l. As the roots grow, they absorb more moisture from the surrounding soil causing the soil to shrink.
- m. This is extremely important for this application, as here in Pinehurst Park we have clay-based soil which shrinks when dry, and expands when wet, and remains waterlogged usually between the months November to May.
- n. Any structure built on or inside the ground will likely move or subside if the soil shrinks.

Tree T2 needs to be felled and the stump killed off asap to avoid the tree roots permanently drying out the soil under the houses, garages, rear patio's, side paths and driveways or causing any damage to the foundations, drains or any other utility service pipe, drain, cable or wiring to property numbers 50 - 60 Pinehurst Park with their aggressive roots growing instinct.

7. TREE OWNERSHIP DUTY OF CARE – PLEASE REFER TO APPENDIX THIRTY TWO

In order to meet my legal duty of care of owning a tree, I need to:

7. CONTINUATION SHEET 7.

- a. Take reasonable care to ensure the tree does not cause harm or injury to anyone coming onto my land, (even trespassers and burglars).
- b. Take reasonable care to ensure the tree does not cause harm or injury to neighbours.
- c. Take reasonable care to ensure the tree does not cause damage to a neighbour's property.
- d. Take reasonable care to ensure the tree does not fall over a highway.

The situation is absolutely impossible, . . . how can I meet my legal duty of care with something you can't see ?

There is a new poplar tree sucker just one meter away from the public footpath, . . . the root may already be under the public footpath.

I do not want my tree root lifting the tarmac of the public pavement.

At a most basic level, all that will mean is WSCC will eventually have to come out and repair the pavement which ultimately is a waste of my council tax money carrying out a repair which if the tree is felled, wouldn't need to be done.

On a more serious human level, there is always potential with lifted tarmac on the pavement for slips, trips and falls and for someone to suffer an injury. Any local authority insurance officer/team will have countless examples of such claims. The injured party may take legal action against WSCC, who in turn will take legal action against me to recover the cost of compensation and fees if they trace the tree root as one of mine.

WSCC have got more money and access to better legal representation than I could ever afford, so the only way to avoid the whole situation ever becoming a reality, is to fell the tree and kill it off asap.

The same is true with the water supply and drainage in Pinehurst Park. I do not want one of my tree roots to cause a problem for myself, or anyone else in the road with either the water supply or drainage. The water companies would probably want to recover their costs for repairs if they trace the tree root as being one of mine.

The water companies have also got more money and access to better legal representation than I could ever afford, so the only way to avoid the whole situation ever becoming a reality, is to fell the tree and kill it off asap.

The same is true with roots potentially 35 plus meters long, I have absolutely no way of knowing if the roots from tree T2 have already reached a neighbours property foundations, and neither would a tree or planning officer.

I am very concerned however that the tree is showing new suckers being present in our next-door neighbours back garden lawn and patio at No 52 Pinehurst Park.

7. CONTINUATION SHEET 8

I am unable to confirm which direction the tree roots have spread and if they have reached the foundations of Numbers 50, 56, 58 or 60.

How can I meet my legal duty of care with something that I can't see which is showing evidence of being 34 meters away from the tree trunk, and being present in a neighbour's garden ?

I can't.

I refer to Appendix Thirty Two, . . . I am concerned the tree roots from G9/T2 are going to make me legally liable for damage to a neighbour's property, which I may be compelled through court action to 'abate the nuisance' and pay compensation.

Tree T2 needs to be felled and the stump killed off asap to avoid lifting the tarmac on the public footpath between house numbers 50 – 60 Pinehurst Park, and to avoid damaging a neighbour's foundations, water supply pipe, waste water drains and pipes, or damaging any other type of pipe, cable or wiring used by any other utility service on a neighbour's property.

3. G9 T1 AND T2 FAIL MODERN DAY POPLAR TREE PLANTING RECOMMENDATIONS – PLEASE REFER TO APPENDICES TWENTY FIVE TO TWENTY NINE

From my research, professional opinions seem to differ on the modern-day recommended minimum planting distance for a Lombardy poplar tree from a residential dwelling:

Appendix Twenty Nine – Shoot Gardening Design = 40 meters

Appendix Twenty Five – Association of British Insurers = 35 meters

Appendix Twenty Six – RHS general rule for any tree = at least the height of the tree

Appendix Twenty Eight – Horsham District Council Building Control Team = At least the maximum height of the tree which they have listed as 28 meters.

G9 T1 and T2 are only 18 meters away from my property, so nowhere near any of the distances listed above which is a major concern for my neighbours and I.

Any competent tree officer, landscape architect and surveyor would be fully aware the minimum planting distances have been considerably extended since the 1970's when the Pinehurst Park properties were given planning permission. The dangerous reputation of the Lombardy poplar tree has been well documented over the last 50 years.

Tree G9 T2 needs to be felled and killed off as it is displaying evidence of the roots being much, much too close to my residential dwelling, and that of my neighbour at Number 52. Please refer to Appendices Ten to Twenty Four.

I refer to Appendix Twenty Eight for information obtained from Horsham District Council Building Control Team, . . . Tree G9 T1 and T2 would never get planning, or building control

7. CONTINUATION SHEET 9

permission in 2025 to be planted so close to a residential dwelling(s) in a new housing development, so why are G9 T1 and G9 T2 still being protected in law by Arun District Council ?

OR, looking at it the other way round, ...

This housing estate would never get planning or building control permission in 2025 to be built so close to this type of tree so why are trees G9 T1 and T2 still being protected in law by Arun District Council ?

The Local Planning Authority position makes no sense and is completely contradictory.

The whole TPO should be revoked immediately.

9. TIME TO CORRECT THE SPLIT BOUNDARY AND FOR UNINTERRUPTED ACCESS TO THE WHOLE GARDEN PLOT – PLEASE SEE APPENDIX TWO AND SEVENTEEN

The boundary line given planning permission in 1975 at the top of the garden for number 54 was drawn up too close to trees G9/T1 and G9/T2.

The modern-day boundary line at the top of the garden for number 54 now runs straight through the middle of tree G9/T2, - see Appendix Two, - half the tree trunk actually sits in the horse's paddock field belonging to Pinecroft Stables.

I confirm even now G9/T1 has been felled, I still can't get my new top fence all the way back to my boundary line because the tree stump for T1 has yet to rot away sufficiently.

I refer to Appendix Twenty Two which shows how a right angle has had to be used with my new top fence to come back into the garden to go round G9/T2.

I have had to give up at least 10m² of my back garden for the best part of the last nineteen years to the horses as I haven't been able get a fence put in straight across all of my boundary line because of trees G9 T2 and T1. Please see Appendix Twenty Two.

It isn't fair that I have had to pay Council Tax on the land along the top boundary line for the last 19 years which is inaccessible and unusable blocked off by tree G9 T2.

If Tree T2 is felled to ground level and killed off once and for all, I would be able to benefit from the whole of my garden, . . . not just some of it for the first time in 19 years.

Please do not under estimate these trees are over fifty years old, and the size of the tree trunk, . . . therefore the area of my garden lost to the circumference of the tree trunk G9/T2 equates to an area measuring 1 x 1.5 meters. Multiply that amount of lost space by two if you take into consideration tree G9/T1 in the opposite corner of my garden.

That area lost to both G9/T1 and G9/T2 tree trunks, and then add on the area 10 x 1 meters lost because of the poorly designed boundary line, . . . this is such a total waste of

7. CONTINUATION SHEET 10

land which I could make much better use of to improve the outlook not only from our house, but also for many of our neighbours.

Much softer landscaping would vastly improve not only the outlook from our house, but also that for many of our neighbours, from looking out onto these ugly sky scraper like trees which restrict our access to enjoy big blue skies when they occur, and restrict our Right to Light.

To be crystal clear, by felling tree G9/T2, I could begin to address and put right the planning decisions taken 50 years ago:

- a. Be rid of both gargantuan sized trees both undeserving of being protected by TPO
- b. When the tree stumps have rotted off, move the top fence back to the boundary line in order to finally achieve access to my whole garden site with no barriers.

D. GARDEN AND TREE SIZE

The house and garden at 54 Pinehurst Park are too small to absorb two giant skyscraper sized trees that when full size tower over the height of the houses, - the trees are totally out of proportion to the height of the houses.

To put that into context, the house has been built just 18 meters away from trees G9 T1 and T2 which have the potential to grow approximately 30 meters tall unless trimmed.

The gardens are not wide enough to be able to comfortably accommodate the branch spread from two or three trees without overlapping the air space of a neighbour's garden, depriving them of light, and potentially stunting their plant growth.

To put that into context, the width of the garden is approximately 10 meters wide, and trees G9 T1 and T2 have the potential to grow sideways of up to 4 meters wide each. However, because the boundary lines for the houses were drawn up so incompetently, and because the houses were built after the trees had been planted, the trees positions have never made sense in terms of our outlook, and have never actually lined up centrally in our garden, or been equally spaced apart when looking out from the house.

Both G9 T1 and G9/T2 are too close to the corners of our garden, and therefore both have/do overlap into our neighbour's airspace, consequentially partially blocking their outlooks. See Appendix Seventeen where you can make out tree G9/T2 overlaps the boundary fence between No 54 and 52 Pinehurst Park.

You do the math's on the size of the plot against the size, height and the actual planting positions of the trees and justify why these trees are in any way, shape, or form deserving of being protected by law ?

It is a massive financial expense to get the trees trimmed, which offers little or no value for money. Poplar trees are one of the fastest growing trees in Europe, and they grow back at

7. CONTINUATION SHEET 11

a rate of 6 feet per year, so any benefit from getting the trees reduced in size doesn't last very long before they have grown back !

In the case of my garden, the top boundary line currently touches G9/T1, and runs straight through the middle of tree G9 T2 which has resulted in the loss of land at the top end of my back garden measuring at least 10 meters wide by 1 meter deep. Please see Appendix Two.

I am applying to fell tree G9/T2 because both T1 and T2 have prevented a fence being put across the top of the garden on the boundary line, - See Appendix Two. The very top end of my garden has therefore been rendered inaccessible and unusable for the last nineteen years. This wasted land has had to be given up as dormant.

As well intentioned as any tree or planning officer might be, looking at an out of date plan from a desk 20 miles or more away, I want to argue it is about time the opinion that should carry the most weight in any decision about these trees is that of the people that live in the houses as follows:

The detriment these ugly trees cause me as the landowner in terms of being over whelmed by a sky scraper like block in the outlook from the rear of the house, the loss of land, the loss of money in wasted council tax instalments on land rendered inaccessible and unusable by these trees, the loss of the Right to Light, the reduced pleasure from big blue skies with their gargantuan height and spread and their inconsiderate planting positions should far outweigh any vague benefit any local authority employee may argue they provide to the wider street scene or landscape. Please see Appendix Five and Seventeen.

I am applying to fell tree G9 T2 for numerous reasons. I have proven it is too tall in proportion to the height of the house, the actual planting positions of the trees don't fit the width of the plot (Appendix 17). The boundary line given permission in 1975 was too close to the trees, which touches T1 and now runs through the middle of T2 (Appendix Two) which blocks off my being able to constructively use the top area of my garden, and gain any pleasure from it. In addition, both the tree trunks swallow up several square meters of land each in each corner of the garden plot which I would prefer to use differently to improve the outlook from my own house, and improve the outlook from upstairs windows for those who overlook my garden.

I refer to Appendix Two, - we are where we are with the boundary line running through the middle of G9/T2.

I am applying to fell T2 in hopes common sense can prevail to recognize G9/T2 has grown out into the field, not towards the garden, and has left me with a severely disadvantaged size and shaped garden plot, with very awkward access issues.

Neither tree G9 T1 or T2 are deserving of being replaced.

11. ZERO AMENITY VALUE OF G9 T1 & T2

7. CONTINUATION SHEET 12

I have requested from Arun District Council a copy of the plan for TPO/P/1/78 which doesn't appear to have ever been updated since 1975 when the estate was built. Please see Appendix One.

For the benefit of the planning officer dealing with this application, the tree line is not as complete as the plan you have on file, (Appendix One) shows. Tree T2 sits on its own with gaps either side, and contributes no benefit to the street scene or landscape at all. Please see Appendix Seventeen.

The reason why it contributes nothing to the street scene is because it is at the rear of the property and you can only see the tree tip over the top of the roof line when it gets tall enough.

Even if replacements were planted for both T1 and T2, there would still be gaps either side of the two trees.

The only form of life that may gain some visual benefit from this ugly tree being in place are the horses in the paddock field.

I am not willing to put the structural integrity, the drains or any other utility service to my property or that of my neighbours at Number 50 - 60 Pinehurst Park at jeopardy by keeping this tree in place for the benefit of a few horses.

I am applying for tree G9/T2 to be felled and killed off asap.

2. FAILED CRITERIA FOR A TREE PRESERVATION ORDER

Local Planning Authorities (LPA) protect trees for the following reasons:

- a. Because of the tree's beauty
- b. Because of the special contribution they make to the landscape or street scene
- c. Or because of some other special quality such as rarity or historical significance.

This row of poplar trees, or those which still exist in 2025 meet none of these criteria.

They certainly aren't rare or have any historical significance, they certainly aren't beautiful dropping all their leaves in autumn/winter, clinging on to their dead branches for months which just randomly fall off, with sizeable gaps in the intended tree line between them, and with only the tree tops showing above the dwelling roof line they contribute no special visual improvement to the street scene or landscape. Being located at the rear of the properties, the only life that can see the trees are the two or three horses in the paddock field. Please see Appendix Seventeen.

From Appendix Five, it is absolutely infuriating that zero consideration appears to have been given to the land/home owners outlook from the rear of their homes being completely dwarfed by these gargantuan sized trees, and peculiar planting positions.

7. CONTINUATION SHEET 13

As the trees fail all the criteria for a tree preservation order being put in place, I cannot see there is any justification the LPA can provide to keep tree T2 in place, and therefore, . . . absolutely no legal condition should be placed on the permission to fell T1 or T2 to have to plant anything to replace them.

I have allowed trees T1 and T2 to stay all the time they weren't causing a problem, but not anymore. T1 was becoming dangerous, and now T2 is becoming dangerous as well albeit for different reasons.

I will make the gesture of good will to pay the British Woodland Trust to plant two new trees in a more appropriate location elsewhere in the country far away from residential dwellings. Please refer to Appendix Three.

Arun District Council should do the right thing and revoke the whole Tree Preservation Order as elderly poplar trees are dangerous. Please refer to Appendix Nine. All of the remainder of the original tree line are going to fail naturally within the next few years.

13. POPLAR TREES ARE DANGEROUS – SEE APPENDIX NINE

- a. Poplar trees are most often found out in the countryside;
 - i. on the edges of fields where they are used as wind breaks,
 - ii. on the edges of fields which have a boundary with residential dwellings where they form a 'living wall' or privacy screen and act as a wind break.
- b. Poplar trees have one of the shortest natural life spans of any tree in Europe at just 50 years.
- c. Poplar trees are very prone to disease and many will never live anywhere near 50 years.
- d. Poplar trees are dangerous in several different ways:
 - i. They cling on to their dead wood branches, which will eventually snap, but not fully break off, just hanging in mid air still attached to the tree trunk by a thread often for several months, and then just randomly fall off without notice. This is dangerous if you are working in the garden under the tree canopy when this happens. Please refer to the point marked with a red asterisk on Appendix Twenty Six from The Royal Horticultural Society.

PLEASE REFER TO APPENDICES TWENTY FIVE TO THIRTY ONE:

- ii. Poplar tree roots are dangerous to property foundations as they are very vigorous and aggressive. Any competent Local Authority Tree Officer, Landscape Architect, Surveyor, Builder, Insurance Assessor and Structural Engineer will be well versed in the problems that tree roots cause by drying out the soil and causing subsidence. This reputation of being dangerous has been well documented over the last 50 years.
- iii. Poplar tree roots are dangerous as they have the strength and capability to damage, enter and/or block water supply pipes and waste water drains. Please refer to Appendix Thirty One.

7. CONTINUATION SHEET 14

W. In old age, poplar trees become dangerous in high wind and storms as they become weak and unstable. What started off as an excellent reason to use poplar trees to act as a wind break on the edge of fields, actually becomes their Achilles heel in their old age, as the tree trunks begin to hollow out inside and become weak. They are well known to get uprooted in storms, or for their tree trunks to just snap, with the piece of the tree above the snap just keeling over to destroy anything in the direction of its fall. Please see Appendix Nine.

14. FINANCIAL REASONS TO FELL G9 T2

I have already stated the trees are more than 50 years old, but can't be more precise than that. Please see Appendix Four.

I have also stated that the normal life expectancy for a Lombardy Poplar tree is 50 years.

G9 T2 has done very well and served its purpose, . . . it has been quietly breathing in carbon dioxide and emitting oxygen for over 50 years, provided many pigeons with a place to build a nest, provided somewhere for the grey squirrels somewhere to climb and jump, and probably provided other advantages to wildlife for many years.

However, I am not willing to start digging up my garden and driveway to put in place root barrier blockades at my own cost in order to keep this tree in place for maybe only another year or two before it dies from natural causes anyway. It can also of course just keel over or just snap at any time in a storm. See Appendix Nine.

For the record, I do not have the money or the legal right to start digging up all of my neighbour's gardens and driveways to put root barriers in place for them. Felling G9/T2 is the only viable option.

Please see Appendix Twenty Eight from Horsham District Council Building Control Team who state on the last page that root barriers are usually expensive and ineffective as the roots either go round or under them.

If Arun DC feel particularly strongly that this lone tree needs to be preserved for however long it has left to live, and they are willing to organize and pay for the root barriers to be put in place for my property and all of my neighbours, and for them to be put back in as good as condition as they found it, then fair enough. Come and talk to us.

For someone with limited finances like me, it makes no financial sense to put the root barriers in, or any other barrier system the tree or planning officer may suggest to control the root growth.

It makes much better sense to put the money into getting the tree felled and killed off to avoid all potential future structural and drain problems.

In terms of my monthly Council Tax instalments to Arun District Council, these trees have provided awful value for money for me at Number 54 with so much land at the top of my

7. CONTINUATION SHEET 15

garden being inaccessible and unusable for nineteen years. I would like to fell G9/T2 in order to gain full access and to be able to enjoy the whole of my garden plot, not just some of it.

I would also like to see better value for money from my Council Tax instalments in terms of the Local Planning Authority staff no longer feeling obliged to protect and remain loyal to the planning decisions from 50 years ago, and to give this application a fair assessment.

I apply to the Planning Officer to take on board the precedents already set with neighbours applications, the woefully inadequate distance between the trees and the dwelling given the amount of knowledge and experience across various professions which have been documented which proves how much damage poplar tree roots can cause, the boundary line going through the middle of the tree, the amount of wasted money on Council Tax instalments for inaccessible and unusable land I suffer as a result of G9/T1 and G9/T2, . . . I think it is long, long overdue for the land/homeowner, i.e. me, to be given priority over some vague benefit for the street scene, and the landscape which only a few horses can see.

Furthermore, it is infuriating that the outlook from the rear of the houses have been given zero consideration historically in consideration of the Tree Preservation Order. Please see Appendix Five. It is long overdue for the LPA staff to prioritize the land/home owners outlook over the vague benefit to the street scene, or a few horses being able to see my lone ugly tree at the edge of the paddock field.

15. UNDEMOCRATIC LOCAL PLANNING AUTHORITY (LPA) DECISION MAKING PROCESS

The planning application P/71/75 granted permission to build the dwellings in Pinehurst Park back in 1975. Please see Appendix Four which shows Condition 8 prevents any tree on site on the day the permission was granted being pruned lopped or felled without local authority permission. Arun DC have nothing documented on file why that condition was put in place.

Following applications to fell their trees from the first set of homeowners back in the mid 1970's, the LPA put in place the Tree Preservation Order in 1978 on what seems to be the opinion of just one local authority employee. See Appendix Five.

I have put an arrow against the relevant paragraph. Zero consideration appears to have been awarded to the land/home owners outlook at the rear of the houses. Please see Appendix Seventeen. The main considerations appear to be protecting Condition 8 of the planning permission which has not been documented why that was put in place, and maintaining the character of the estate. And this appears to have all been signed off by one LPA employee.

I have been unable to find any local authority which has any information on their website about how to challenge or overturn a Tree Preservation Order which includes Arun DC. . My impression and conclusion are the whole TPO process is secretive and undemocratic.

7. CONTINUATION SHEET 16

Here we are nearly fifty years on, . . . how many residents of Pinehurst Park have had to live with blocked outlooks at the rear of their homes as a result of this TPO, . . . which must have reduced property values ?

Nearly fifty years on, how many residents of Pinehurst Park have, and/or, still are living with the antiquated consequences of doing all this paperwork in order to be allowed to get anything done because of that undemocratic decision made by just one employee ?

Given the poplar trees fail to meet all criteria for a Tree Preservation Order, breach current recommended minimum planting distances to dwellings and get structurally weak in old age, the trees in Pinehurst Park should all have public health warnings on them to warn of their danger as they are all over 50 years old. None of these poplar trees in Pinehurst Park should be protected by law.

They just shouldn't.

As it was Arun DC that removed the democratic right from the homeowners back in 1975 to make their own decisions about any maintenance work on the trees, or whether to fell the poplar trees, . . . and then went and put that into law in 1978, . . . as it was Arun District Council that wants to save and protect these poplar trees, and has done for nearly 50 years . . .

I think it should be Arun District Council that pays the bill in 2025 for having them all felled because they are now dangerous. Please see Appendix Nine.

FAO The Tree and Planning Officers, . . . that would open your eyes and focus the mind a bit if you had to pay to have them all felled wouldn't it !

I don't accept any bland generalizations about my single ugly poplar tree adds character to the street scene or landscape, . . . many of the trees have now gone and the tree line is neither one thing or the other with gaps clearly evident. Please see Appendix Seventeen.

It needs to be stated and emphasized for the benefit of the planning officer dealing with this application, that what we are dealing with here is my tree, . . . a tree which I own, . . . on land which I own. I know this area better than any tree or planning officer and I will have to live with the consequences of the decisions that I make.

It is absolutely infuriating that the undemocratic decision made by one local authority employee nearly 50 years ago, is still adversely affecting homeowners like me, . . . this is my land, my tree and it should be my decision, and my decision alone what I do with it. It shouldn't be any business of the local authority.

In fact, given the top boundary line which runs through the middle of T2 and the way it makes the top area of my garden inaccessible and unusable, please see Appendix Two, and the fact zero consideration seems to have been allowed towards the landowner's outlook by LPA staff with the TPO in 1978 . . . I would much rather be left alone to make my own decision, and the area would be much better off for it.

7. CONTINUATION SHEET 17.

I passionately object to being dictated to by a local authority employee under a piece of TPO law, which in the case of Pinehurst Park should have been revoked years ago, sat in an office twenty miles or more away making decisions about what I can and can't do with my land.

The local authority employees never have to live with the consequences of their decisions, . . . please see Appendix Two, which in the cases of tree work, are massively financially significant for all applicants. I would have to state as a comparison, the cost of the maintenance of these trees is far more expensive than any car or motorcycle I have ever owned. The local authority employee will have probably forgotten about the decision they take today by tomorrow. It means nothing to them.

Furthermore, what I would say to the planning officer dealing with this application, . . . this is my tree, on my land and my reasons for wanting to fell the tree should carry more weight than the opinion of the tree officer however well-intentioned the tree officer might be. The same goes for the Parish Council. Please see Appendix Five. If arguments are being put forward to keep the tree with broad generalizations about the street scene character and the beauty it adds to the landscape, . . . for the benefit of a few horses, . . . sorry my opinion and reasons to fell the tree should carry more weight and override all that. Two homes are potentially at risk, maybe more, and the outlook from the houses needs a much higher consideration weighting than it appears to have received historically however well-intentioned that oversight may be. Please see Appendices Ten to Thirty One.

Reluctantly, and it is very reluctantly, as a law-abiding citizen, I have to enter into this time-wasting legal process of asking permission to fell a tree which all common-sense dictates is the only logical course of action for the greater good of my dwelling, garage and hard standing areas, and drains etc . . . and also those of my neighbours. Please refer to Appendices Twenty Five to Thirty One.

You don't need a university degree to work out what needs to be done here. A five-year-old child could work out the tree needs to be felled. This is my home we are talking about, and that of my neighbours which are all potentially being put in jeopardy by the roots from this tree, and the lengthy 8-week local authority decision making process.

I emphasize, the safety, structural integrity and undamaged supply of all utility services to two homeowner's properties far outweigh the importance of whatever benefit the tree officer might argue that this one ugly poplar tree might add to the street scene or landscape.

The decision to fell this one ugly tree should not be any business of the local authority, and I resent the local authority publicizing all my details and photographs of my house and garden on the world wide web which otherwise would never be there.

I am now being held up by two months to get a tree surgeon in to fell this tree, all because of the undemocratic decision of a local authority employee from nearly 50 years ago. It is

7. CONTINUATION SHEET 18

totally infuriating and unacceptable that local planning authorities have the power to adversely affect residents lives in this way. Please see Appendix Five.

The whole legal TPO process is long overdue to be updated and reformed.

To sum up then, for all of the reasons contained within these Continuation Sheets, I request permission from the Local Planning Authority to fell tree G9/T2.