

## **Appendix 2 – Letter from Objector dated 14<sup>th</sup> April 2026**

**Text below is as submitted by the Objector.**

In reply to your email of 1 April 2026, I submit my points below and repeat my previous points:

*While I acknowledge the purpose of Tree Preservation Orders under the Town and Country Planning Act 1990, I believe the current recommendation does not adequately balance amenity with the legal and practical impacts on neighbouring residents.*

### **1. Highway Obstruction – Legal Duty**

*Under Section 154 of the Highways Act 1980, there is a clear obligation to prevent obstruction of the highway.*

*Evidence has been provided of vehicle damage and branch failure. This demonstrates that obstruction is not theoretical but has already occurred. The classification of the road as “minor” does not remove the statutory duty to maintain safe clearance.*

### **2. Amenity vs Residential Impact**

*While the tree provides visual amenity, insufficient weight has been given to the significant and ongoing loss of natural light, overshadowing of habitable space, and reduced enjoyment of the property.*

### **3. Drainage, Waterlogging and Property Impact**

*A significant practical issue not adequately addressed is the impact of seasonal leaf fall on drainage.*

*During autumn and winter months, substantial leaf accumulation blocks gutters and drainage systems. This has led to water pooling and waterlogging on the flat roof, requiring repeated maintenance and repairs due to damp conditions. This represents a recurring maintenance burden and a risk of ongoing property damage, which should be considered in the overall balance.*

### **4. Ongoing Management vs Absolute Protection**

*It is acknowledged that a TPO does not prevent pruning. However, necessary maintenance must remain achievable, and refusal of reasonable works could lead to continued harm.*

### **5. Structural and Safety Considerations**

*The proximity of the tree to structures raises concerns regarding root interaction and long-term pressure on built features. Under the Occupiers’ Liability Act 1957, these risks should be proactively managed.*

***I am confused that you state the tree was found to be in good health as the tree has been growing Chicken of the Woods fungus:***



***As all parties have missed this, it casts serious doubt on any submissions made by the mysterious Platform Housing Group's surveyor and the TPO officer who should have clearly noted this parasite and saprobe. Again this lack of vision confirms the TPO officer's bias in this matter as nothing has been investigated properly regarding this matter.***

- ***As a Parasite: It attacks living trees by invading the heartwood. It causes "brown cubical heart rot," which makes the wood brittle and eventually hollows out the tree trunk from the inside. This slowly weakens the tree and will lead to structural failure at some point.***
- ***As a Saprobe: After the host tree dies, the fungus continues to live on the dead wood, decomposing it and recycling nutrients back into the forest***

#### ***6. Environmental Health Considerations***

***Issues relating to bird activity, droppings, and disturbance should not be dismissed without consideration under the Environmental Protection Act 1990.***

***"The TCO found no reason to dispute Platform Housing Group's own surveyor's assessment that the tree presented no significant risk of causing harm to persons or property."***

***I would submit again, that transport issues are affected by the tree's***

***branches which will cause harm to property or people. I have emailed the videos of the lorries hitting branches.***

***I have still not been privy to this report and do not know undertook the same. Don't we share information anymore?***

***See my points above – the tree is clearly not in good health and risk and harm are being caused to property, it's only a matter of time before a person is injured.***