

Andrew Rayner
Tree and Landscape Officer
Fylde Council
Town Hall
Lytham
FY8 1LW

30/9/2019

Dear Andrew,

Re: Objection to TPO 2019/0005: Land, Vicarage Lane, Newton with Scales, Preston PR4 3RU

Following receipt of your correspondence dated 3rd September I wish to formally appeal the TPO placed on my overgrown land and question its legitimacy, timing, motivations and sources of interest.

The first part of my objection is that having both spoken to, and conversed via email with yourself it is seems clear to me that:

- 1) You issued this order without first undertaking due diligence as you were completely unaware that I already have a felling licence, issued by the Forestry Commission that is current and in place until 2023 to fell and thin the land.
- 2) When asked on more than one occasion of the source and motivation of the sudden interest in my overgrown orchard you have eluded answer or simply ignored the questions.
- 3) You have failed to answer questions on timing of site visit, trespass on private land, if indeed a site visit has ever actually taken place, or if in fact this TPO was issued from afar to meet a different agenda than the one presented as reason for making the order.

This unfortunately leads me to question both professional standards and motivation in issuing this blanket TPO, its appropriateness, legitimacy and type of TPO.

The second part of my objection is for the following reasons regarding the makeup, geography, type of TPO and quality of stock on my land:

- 4) My land is at best an orchard, made of a mixture of overgrown, dead, dying or top-heavy trees, shrubs and hedgerow. It is not a woodland, national park or area of natural beauty.
- 5) The National Forest Inventory Woodland England 2015 definition of woodland (last updated 29 March 2019 on data.gov.uk) is a minimum area of 0.5 hectares, which is far larger than my land which is not even 0.5 acres.
- 6) It borders on two sides consist of red brick buildings, various outbuildings, car parks and a main road taking heavy traffic with increasing volumes, this is 50% of the border.

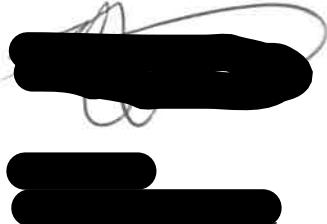
- 7) The other 50% is agricultural land occasionally used for cattle or horses, it is not bordering true woodland. Indeed, beyond it lie several houses, farms and commercial premises on the same road.
- 8) Further felling and thinning, in line with the current felling licence and standard regulations on removal of trees on private land to manage and make safe the site is required.
- 9) At a time when across the region there is known issue and felling operation which is likely to expand of Ash trees, due to disease, you are choosing to issue and order that protects several of the very same tree that are prone to disease.

Unfortunately, I have strong concerns an appeal by myself alone will be dismissed without appropriate consideration virtually immediately based on the circumstances leading to, and communications since the issue of the TPO documentation, received on the 7th September (dated 3rd) despite the 9 objections I have made above. As such I have sought and employed professional services to further support my objection.

Chartered Arboriculturist's and land management specialists have been investigating the TPO, conducting site visits and producing reports and representations on my behalf to support my appeal and put forward objections above and beyond the ones above.

These documents accompany this letter, outline objections and reasons and should be considered an integral part of my appeal alongside the above, to form an overall objection for full consideration.

Yours Sincerely,

The signature is handwritten in blue ink. Below it, the name and contact details are redacted with black ink. There are two lines of redacted text below the signature block.