

**From:** Bill Anderson [REDACTED]  
**Sent:** 10 December 2018 17:56  
**To:** Cannon Richard (CEX)  
**Cc:** [REDACTED]  
**Subject:** RE: Tree preservation order (TPO) objection.

Dear Mr Cannon,

Thank you for your e-mail which I'm afraid raises more questions than it answers, but firstly I must ask precisely when TEMPO became a "recognised industry standard?" I have not seen any mention of it in the Government guidance and I am aware that the Planning Inspectorate's non-salaried arboriculturists all regard the system with some disdain. This is because it is far too easy to misuse. For example the Officer's appraisal of the Swedish Whitebeam states that it has a 40 year minimum life expectancy. This is completely wrong; TEMPO's intention with this aspect is that this should mean without any major maintenance work. This tree has already had some pruning work and the likelihood of it not requiring fairly major work inside 20 years is low. Also if this tree is in "good condition" how would you describe a young, recently-established tree that is growing vigorously? I don't think it's appropriate to describe them both as "good." The TEMPO guidance notes do mention "retained for the time being without disproportionate expenditure of resources."

The TEMPO system is not and doesn't claim to be a system of amenity valuation. When it was first designed it was for the purpose of reviewing an LPA's stock of TPOs, not for the serving of new ones. One of the authors was also part of the review group for BS5837 2005, and some of the TEMPO principles are adapted for its "tree categorisation method," but neither are a system of amenity valuation.

I accept that "visibility is one aspect of assessing visual amenity;" it can't be anything else, but as visibility alone is insufficient justification, precisely what else is adding to these trees' amenity value? Although they're at the side of a road this is a cul-de-sac; not a road with much passing traffic. These trees cannot be regarded as prominent in the same way as a tree at the side of a major thoroughfare.

Although I accept that the Whitebeam is a decent specimen tree and reasonably well suited to its location the Beech are certainly not suited to the locations in which they find themselves. Neither tree 3 nor tree 4 can be regarded as good examples of their species (I haven't studied Tree 1 closely beyond noting its infestation with Felted Beech Coccus), nor can they be regarded as so untypical that they have developed greater than average amenity value. In fact it seems to me that as the Officers have not evidenced any other notable factors, then the only thing to be said about them is that a few people can see them. As we have already established that visibility alone is insufficient reason for a TPO I must ask again why these trees have been protected.

Turning to your statement that this TPO is expedient, I would like to point out that when I inspected these trees over 6 months ago I did not suggest that the client removed them. This was on the understanding that the trees are poor specimens that would not generate sufficient amenity value to be protected by a TPO. This has been something of a mantra to me over the years: I do not recommend that clients remove trees before submitting a planning application. I am well aware that there are many hurdles in the planning system and I am also aware that although a tree might have low amenity value, it is never likely to be zero (unless it's a hazard tree of course). It is probably better to retain trees for a short while than to remove them just in case someone ever wants to submit a planning application. If Sheffield's Tree Officers are going to start protecting unworthy trees just because they want to refuse a planning application, then I will still not recommend pre-emptive felling, but I will be obliged to make potential clients aware of Sheffield's likely approach. I would not be at all surprised if subsequently some clients ignored my advice and removed trees just-in-case. (In the early days of my life in tree work, some 35 years ago, I had one client who flatly refused to keep any trees in his garden, because he had plans to build houses. The plans were 10 years away and I would have preferred him to have retained them. His paranoia about TPOs

To reiterate I do not think these trees were under threat, so the TPO was not really expedient. I do not think turning these trees from "trees" to "protected trees" was necessary, and in serving the TPO it might very well be that other potential applicants feel they have no choice but to undertake pre-emptive tree felling. I consider this a retrograde step, and the Council persisting in this course of action might very well lead to unintended consequences.

I remain of the opinion that this TPO was unnecessary, and would be grateful if my thoughts could be relayed to the Planning Committee (or sub-committee) before this TPO is confirmed. In the meantime I look forward to hearing from you.

Sincerely,

Bill Anderson.