

Emily Sheppard

From: Jane Brewer
Sent: 18 December 2025 12:25
To: Emily Sheppard
Subject: Mr Chapman re Amenity land at Ivy Avenue, Southdown, Bath No 334

Categories: Emily

From: Jane Brewer <Jane_Brewer@BATHNES.GOV.UK>

Sent: 08 December 2025 09:28

Subject: RE: Tree Preservation Order 2025 : Amenity land at Ivy Avenue, Southdown, Bath No 334

Dear Mr and Mrs Chapman,

The Council's protocol prevents an officer from confirming a TPO under delegated powers if an objection is submitted. This is to ensure that decisions are made in an even-handed and open manner.

The decision on whether to confirm or not to confirm the Order would be determined by the Planning Committee following an objection. The Committee will also take into account all representations received.

You would be notified of the date with details regarding your right to speak at the Committee if this becomes necessary.

With regards

Jane

Jane Brewer (Mrs)
Senior Arboricultural Officer
Planning and Conservation
Planning and Building Control
Sustainable Communities
Bath and North East Somerset Council
Telephone: 01225 477505
www.bathnes.gov.uk
www.twitter.com/bathnes

Please note that I work Monday to Thursday and my mailbox is not monitored in my absence.

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RTPI (SW) Award for Planning Excellence 2023 – Winner

RTPI (SW) Award for planning Excellence 2024 - Shortlisted

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From: STEVEN CHAPMAN [REDACTED]
Sent: 07 December 2025 09:57
To: Jane Brewer <Jane_Brewer@BATHNES.GOV.UK>
Subject: Re: Tree Preservation Order 2025 : Amenity land at Ivy Avenue, Southdown, Bath No 334

[REDACTED]

Dear Jane

Thank you for your email reply dated 4 December 2025.

Please accept this email as our Objection to the Tree Preservation Order.

Kind regards

Steven and Mary Chapman

From: Jane Brewer <Jane_Brewer@BATHNES.GOV.UK>
Sent: 04 December 2025 11:36

[REDACTED]

Subject: Tree Preservation Order 2025 : Amenity land at Ivy Avenue, Southdown, Bath No 334

Dear Mr and Mrs Chapman,

Thank you for your email and comments regarding the trees opposite your home.

A Tree Preservation Order does not prevent the proactive management of trees, however, the land owner or their agent would need to submit an application to the local planning authority first before undertaking the works. There are exemptions to the requirement such as works to dead or dangerous trees or parts of trees. In these circumstances the local planning authority would require 5 days notice in writing unless works are critical to prevent imminent harm.

Further information regarding protected trees can be found at:

<https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

Under the Occupiers' Liability Acts of 1957 and 1984 the occupier of a site has a duty to take reasonable care to prevent or minimise the risk of personal injury or damage to property arising

from any tree on their site. A Tree Preservation Order does not remove the landowner's responsibilities.

Please can you let me know whether I should treat your email as an objection to the Tree Preservation Order. The Council has 6 months in which to decide to confirm the Order or not and this decision will need to be made by the Planning Committee if objections are received.

With regards

Jane

Jane Brewer (Mrs)
Senior Arboricultural Officer
Planning and Conservation
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From: STEVEN CHAPMAN [REDACTED]
Sent: 01 December 2025 13:00
To: Development Management <development_management@bathnes.gov.uk>
Subject: Tree Preservation Order 2025 : Amenity land at Ivy Avenue, Southdown, Bath No 334

For the attention of Mrs Jane Brewer, Senior Arboricultural Officer

Although we appreciate and support the eco reasons behind the enforcement of the Tree Preservation Order, we wish to express our own health and safety concerns in respect of the future management of the amenity area.

We would like to begin by providing you with some background history on this piece of land.

We have lived directly opposite the parcel of land marked for the past 38 years during which time there has been little engagement from the Council or our Leaseholders to address the management of this wooded amenity area. This matter was originally supported back in 2013 by our Independent Councillor, June Player, who was extremely pro-active in helping us contact the then Leaseholder, Martin Perry, West of England Estates.

June's vigorous campaign also applied to the monstrous tree growth at the rear of houses 101 and 103 which are HMO properties and to who June was able to obtain details of the landlords and wrote to them accordingly. The public footpath to the rear of these properties is no longer accessible and no action has ever been taken by the Landlords to address the maintenance and cutting back of the trees, or to maintain their properties to an acceptable standard.

In both cases, however, despite a huge effort on the part of June in addressing these issues through the correct channels it all fell on deaf ears and eventually other important local matters forced June to concede that she had hit a brick wall. (I still have emails from June in my files dated 2013).

During the last 38 years there have been 3 separate incidents when very large trees have uprooted themselves following adverse weather conditions resulting on one occasion where a tree landed on our car. The outcome of this extremely stressful incident cumulated in our car being 'written off' following a long drawn out insurance claim for which we were left out of pocket.

Over recent years these trees have continued to grow significantly and are now causing a number of issues for the residents who live opposite, including:

- **Excessive shading**, resulting in limited natural light entering nearby homes
- **Overhanging branches**, which pose a potential safety risk, particularly during high winds
- **Falling debris**, such as leaves, twigs and small branches, creating maintenance issues and potential hazards on the footpath and road
- **Encroachment**, with branches extending towards residential boundaries

If the amenity area were subject to regular assessment and appropriate action taken, such as pruning or maintenance work to ensure the trees are kept at a safe and manageable size this would greatly improve the safety and appearance of the area and reduce the ongoing nuisance caused to residents thus also providing a safe natural habitat for all existing wildlife.

I think we can all acknowledge and agree that current eco weather patterns are now at levels not previously seen and recent falling trees are now very much a topic on the national news. We believe prompt and decisive action needs to be taken and we'd like to believe that this time the Council/Leaseholder will take this matter seriously and it won't just become another paper exercise to add to our files!

Kind regards
Mary and Steven Chapman