

15 Barnwood Avenue
Gloucester
GL4 3DA

19 October 2020

Submission to Gloucester council planning committee

I am writing in support of my application to fell a cedar tree which is subject to a TPO. The TPO reference is TPO number 156, the tree is annotated as T1 on the order. While I am writing as the owner of the tree this application is supported by all of the property owners immediately surrounding this tree; 13, 15A and 17 Barnwood Avenue

The tree is in good condition annually maintained and there is no sign of disease. The tree is located within 8m of occupied houses and stands above the sole access to two properties. When originally planted those responsible were probably unaware of the eventual height of the tree or the potential danger posed by this type of tree from falling branches.

In the last four years the tree has lost perfectly healthy branches either due to high winds or snow, as the tree is regularly inspected no dead wood has fallen during my tenure. It is recognised that cedar trees are prone to branches snapping, despite being healthy, in adverse conditions. This creates a significant hazard should anyone be beneath the tree when this occurs. As the tree has in effect outgrown the space it occupies it has, in my view become a potential risk to life. The branches are heavy and as the lowest branches are eight meters from the ground, they have significant velocity when they fall. Larger branches that have broken off recently have caused damage for example breaking a fence panel. Had a similar branch landed on an individual or an occupied car it may have resulted in serious injury. This is not without precedent as a woman was killed in Kew Gardens in 2012 as a result of a branch falling from a cedar tree. In the Kew Garden case, the tree was regularly inspected and maintained by experts and yet, they were unable to predict this fatal failure. I have submitted, as supporting evidence some pictures of healthy branches that have fallen from the tree since I moved into the property in 2016. I also submitted a report on the tree completed in June 2020 by Jim Unwin a qualified arboricultural consultant. The report identifies the health and safety risk and recommends the removal of the longer limbs to reduce the potential threat. Of note only one of the branches recommended for pruning in the report fell during the last period of high wind, seven others however snapped and fell.

I contend pruning branches may reduce the risk but will not eradicate the risk and for me any risk to life is unacceptable. I am unable mitigate the risk by controlling access to the areas potentially affected by dropping branches as the tree is a threat to neighbouring properties. When the TPO was implemented (2000) the Kew garden incident had not occurred, however, to ignore this event now, could be deemed reckless and negligent in assessing risk to life. As I have a duty of care as the owner of the tree, I am formally requesting the consent of the council to remove the tree, as set out in the terms of the TPO. If this request is denied, I request that the council acknowledge liability for any injury or damage caused by the tree in the future, as I believe I will have discharged my legal responsibility as the owner through this request.

Yours sincerely

(original signed)

G C Wilson OBE MA