


Your Ref: 411

Head of Development Services  
Tewkesbury Borough Council  
Council Offices  
Gloucester Road  
Tewkesbury, Gloucestershire GL20 5TT

TEWKESBURY BOROUGH COUNCIL OPERATIONS	
Officer .....	
Scanned .....	
Rec'd	24 SEP 2021
Ack'd .....	
Ans'd .....	
File .....	

**Re: Tree preservation Order 411 Land Adjacent to Alstone Lawns, Alstone**

We the undersigned,  owners of the piece of land referred to in Tree Preservation Order 411 hereby register our formal objection to the imposition of the tree preservation order, which relates to all trees within the area marked A1 on the plan accompanying the Order.

Our objections are based on the following:

Firstly we do not accept the legitimacy of the 'Important Open Space' designation which appears to underpin the tree preservation order. The land is less than a third of an acre and is located in the middle of the village, mostly surrounded by other properties. It in no way meets the usual definition of 'Open Space' in the Town and Country Planning Act 1990, which refers to land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground. It is not common land or a village green, and there is no public right of way across it. Public open spaces are normally for use by walkers, but may include cyclists and other forms of recreation, none of which is relevant to this particular piece of land.

We have no record of the previous owners, or we – the present owners – having been consulted in the decision to designate the land as Open Space, which we would argue was a major oversight by Tewkesbury Borough Council.

Furthermore, we strongly disagree that the copse situated on the land represents high amenity value to the village. As mentioned above, the land is private property with no public right of access whatsoever. It is overgrown and inaccessible and the trees referred to are for the most part not visible from the road running through the village. It is our belief that the Open Space designation was intended as a device to prevent any constructive development of the site, and we therefore view the Tree Preservation order as an extension of that policy.

The stipulation under the Tree Preservation Order that no person shall cut down, top, lop, uproot (etc.) any tree specified in the Schedule to the Order makes it in our view untenable. As recently as 2020 it was necessary for Western Power Distribution to lop branches of trees on the land in order to protect power lines. It is highly likely that additional forms of maintenance and management of the trees will required in the future.

