

TOWN AND COUNTRY PLANNING ACT 1990
TEWKESBURY BOROUGH COUNCIL (NO. 419)
(INGLESIDE, DOG LANE, WITCOMBE)
TREE PRESERVATION ORDER 2023

The Council for the Borough of Tewkesbury, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. — This Order may be cited as **TEWKESBURY BOROUGH COUNCIL (NO. 419) (INGLESIDE, DOG LANE, WITCOMBE), TREE PRESERVATION ORDER 2023**

Interpretation

2. — (1) In this Order “the authority” means the Tewkesbury Borough Council
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 20th day of February 2023

THE COMMON SEAL of the COUNCIL)
FOR THE BOROUGH OF TEWKESBURY)
was hereunto affixed in the presence of—)



Authorised Signatory



SCHEDULE
SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Wellingtonia <i>Sequoiadendron giganteum</i>	392039 216048

Trees specified by reference to an area
(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

Groups of trees
(within a broken black line on the map)

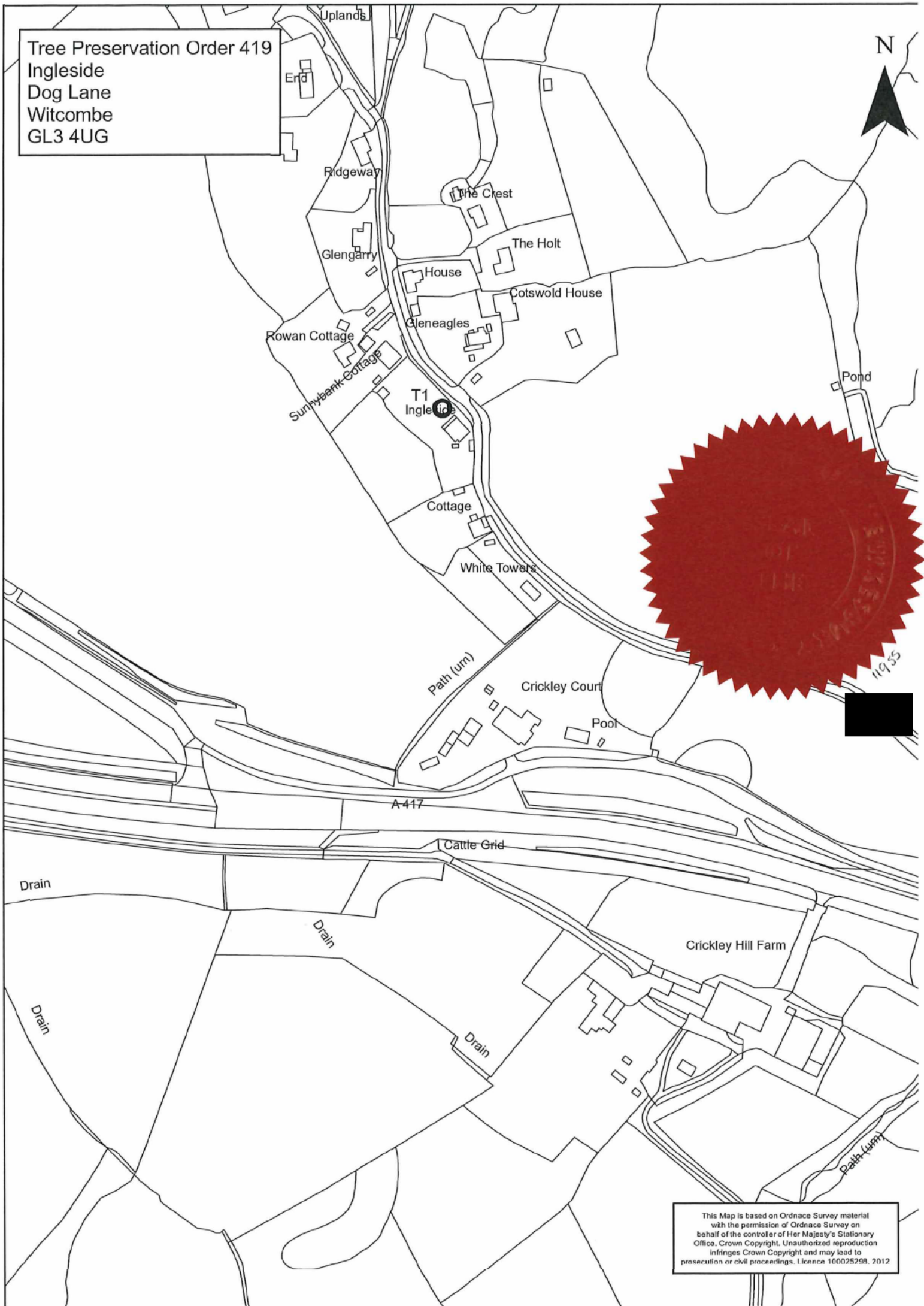
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

Woodlands
(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

Tree Preservation Order 419
Ingleside
Dog Lane
Witcombe
GL3 4UG

N



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TREE EVALUATION METHOD FOR PRESERVATION ORDERS -TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date:	23.01.2023	Surveyor:	G Baldwin
Tree details			
TPO Ref (if applicable):	Ingleside, Dog Lane	Tree/Group No:	T1
Owner (if known):		Species:	Sequoiadendron giganteum (Wellingtonia)

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

Score & Notes

3

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

Score & Notes

4

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes

5

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | | |
|--|---------------|
| 5) Principal components of arboricultural features, or veteran trees | Score & Notes |
| 4) Tree groups, or members of groups important for their cohesion | |
| 3) Trees with identifiable historic, commemorative or habitat importance | |
| 2) Trees of particularly good form, especially if rare or unusual | |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) | |

1

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- | | |
|-------------------------------|---------------|
| 5) Immediate threat to tree | Score & Notes |
| 3) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

1

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

14

Decision:

[REDACTED]

From: [REDACTED]
Sent: 24 March 2023 12:35
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Tree Preservation Order GL34UG - official objections

CAUTION: This message originated outside of Tewkesbury Borough Council's network.
THINK TWICE before clicking links or attachments.

FAO THE TREE DEPARTMENT TEWKESBURY BOROUGH COUNCIL

Good morning [REDACTED],

Ref Tree Preservation Order GL34UG - official objections

I write to you in official capacity to set out our objections to the TPO at the above address

We object to the order based on the following :-

1. The tree is potentially dangerous on the grounds of height, low hanging branches and shallow roots.
2. The tree is sited in a precarious position and leaning into the lane (right on a sharp bend on the lane). See photo attached
3. The tree dispersing pines onto the lane causing slippery road conditions.
4. The tree is potentially causing unnecessary movement to the foundations of the house. See photo attached.

We would question the grounds for an amenity tree in February 2023 but not so in March 2022?

The neighbours we have talked to have expressed concerns to the tree as previously mentioned?

We would also, like to make it perfectly clear that we have no intention of felling the tree!!. However, in order to alleviate some of the above, tree management is clearly required.

We are lovers of the environment and will be planting numerous new trees and encouraging wildlife in the coming years.

Please forward our objections onto whoever needs them?

Please confirm our objections have been received and forwarded to the correct department?

Kind regards

[REDACTED]





SNAPE
CONTRACTING

Managing Director

t: [REDACTED]

e: [REDACTED]

|w:

[REDACTED]@snapegroup.co.uk www.snapecontracting.co.uk

a: Unit 14, Rockhaven, Triangle Park, Triangle, Gloucester, GL1

Way

1AJ



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From: [REDACTED]

Sent: Wednesday, March 22, 2023 4:36 PM

To: [REDACTED]

Subject: RE: Tree Preservation Order GL34UG

Dear [REDACTED]

Apologies, I thought our telephone conversation after you sent the email had answered all your questions so I was not aware that you also wanted me to respond back to you in an email.

My answer to your questions are in italics below:

I would like to refer to an email from you to [REDACTED] previous owner of Ingleside. Email dated 5th May 2022. Which clearly stated there isn't a TPO on any trees at the property??

- *I can confirm that on the 5th May after receiving an email enquiry I responded back to a customer confirming that there were no TPOs at Ingleside. Which was correct at that time.*

I purchased this property on the understanding that the tree could be removed.

- *I cannot answer this as this was your decision*

Can you please explain why you have totally changed your mind?

- *I have not changed my mind as at the time of the initial enquiry the tree was not under threat of being felled. We get enquiries daily asking if a TPO is on a tree or if it is in a conservation area, this information is also publicly available online. A provisional order was placed on the tree due to the change of ownership and at the time this was a precaution as the intention for the tree was not known but as you have stated above, the tree is now under threat of removal.*

I have copied an extract from the Government Guidelines with regards to Making a Tree Preservation Order which you may find useful:

- *It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.*

Paragraph: 010 Reference ID: 36-010-20140306

I have spoken to neighbours who want the tree removed. Please information as to who has requested the TPO?

- *Under Section 40(2) - Third Party personal information of the FOI act, I cannot disclose this information*

I hope the above explains the situation and the reason why a TPO was placed upon the tree. With regards to an objection, a letter would have accompanied the TPO explaining the procedure. I have attached a copy for you if that helps.

If you wish to discuss anything further please do not hesitate to contact me.

Kind regards
Gaynor

[REDACTED]
Tree Officer (Planning)
Tewkesbury Borough Council
Gloucester Road
Tewkesbury, Glos GL20 5TT
[REDACTED]

Website: www.tewkesbury.gov.uk

Please note, the advice within this email is the opinion of an Officer and is given without prejudice to any formal decision of the Council

From: [REDACTED]
Sent: 21 March 2023 10:56
To: [REDACTED]
Subject: RE: Tree Preservation Order GL34UG

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Good morning [REDACTED], would it please be possible for you to reply to my email dated 22 February?
Also, can you please advise on how I can formally object to the TPO?

Kind regards



[REDACTED]
Managing Director

t: [REDACTED]
e: [REDACTED]

|w:

[REDACTED] www.snapecontracting.co.uk
a: Unit 14, Rockhaven, Triangle Park, Triangle, Gloucester, GL1
Way 1AJ



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-----Original Message-----

From: [REDACTED]
Sent: 22 February 2023 14:39
To: [REDACTED]
Subject: Tree Preservation Order GL34UG

[REDACTED], can you please call me at your earliest convenience?

I would like to refer to an email from you to [REDACTED] previous owner of Ingleside. Email dated 5th May 2022. Which clearly stated there isn't a TPO on any trees at the property??

I purchased this property on the understanding that the tree could be removed.

Can you please explain why you have totally changed your mind?

I have spoken to neighbours who want the tree removed. Please information as to who has requested the TPO?

Please call ASAP

[REDACTED]

Kind regards

Sent from my iPhone

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