
APPLICATION NO.	TPO 13V02
APPLICATION TYPE REGISTERED	Tree Preservation Order Confirmation
PARISH	South Hinksey
WARD MEMBERS	Ron Mansfield, Jerry Patterson
APPLICANT	
SITE	Bagley Croft
PROPOSAL	
AMENDMENTS	
GRID REFERENCE	451146 203251
OFFICER	Mr Tim Stringer

1.0 **INTRODUCTION**

1.1 The Council was contacted in January 2013 by the South Hinksey Parish Council. In expressing concern about the removal of trees from a site at Bagley Croft, the Parish Council advised that they had discussed the matter with the previous tree officer and that it was hoped a tree preservation order could be placed on the remaining trees. A site visit was subsequently undertaken and the trees, forming part of a larger woodland, inspected to assess their visual amenity. Two planning applications on the site have been refused in 2013, with impact on trees given as a reason for refusal.

1.2 A location plan is attached at appendix 1

2.0 **PROPOSAL**

2.1 To confirm Tree Preservation Order 13V02

2.2 A copy of the order is attached at appendix 2.

3.0 **CONSULTATIONS and REPRESENTATIONS**

3.1 An objection was received from Mr Nik Lyzba, a planning consultant acting on behalf of the site owner, Mr Sheehan. One letter of support was received from South Hinksey Parish Council. These were received and acknowledged within the time period specified. A further three letters of support were received, although these were some way outside the prescribed time period.

Commented [S1]: planning consultant

Commented [S2]: Site and the trees on it?...

3.2 The objections, in summary, were that:

- i) It was not expedient for the Council to make the Order as the trees are under appropriate management
- ii) the plan accompanying the Order is incompetent in that it includes areas for parking, vehicular access, a cultivated area with ornate trees, part of a private garden and areas which include no trees.
- iii) the stated reasons for making the Order do not relate to S198 of the Act in that it has to be expedient in the interests of amenity.
- iv) The type of Order and the areas covered by it are inappropriate.

3.3 The representations in support, in summary, were that:

- i) Bagley Woods is a designated ancient woodland.
- ii) The trees form part of important wooded setting for Hinksey Hill.
- iii) The trees have an important screening role.
- iv) Retention and maintenance of trees is consistent with the Council's tree policy document.
- v) The removal of a substantial number of trees has significantly changed the aspect and visual appearance of that part of Hinksey Hill.

4.0 POLICY AND GUIDANCE

4.1 The trees are included in the Tree Preservation Order because they are considered to have a significant amenity value. This is entirely consistent with Section 198 of the Act which states that a Tree Preservation Order can be made if appears to a local authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area.

4.2 An assessment of the woodland was undertaken on two occasions and at neither time was there evidence of the trees being under appropriate arboricultural management. In fact, on the contrary, recent earth works had been undertaken compromising the long term health and satisfactory retention of a number of trees.

4.3 The plan forming part of the Order is consistent with the government guidance for TPO law and good practice. The use of the woodland classification is entirely appropriate and the plan clearly depicts the extent of the canopy, as stated in the guidance to make use of any natural landscape features or property boundaries in a way that will avoid any future uncertainty if trees close to the boundary are removed.

5.0 RECOMMENDATION

5.1 To confirm Tree Preservation Order No. 13V02 as made and without modification.

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