



# STROUD DISTRICT COUNCIL

Ebley Mill • Ebley Wharf • Stroud • Gloucestershire • GL5 4UB  
01453 766321  
www.stroud.gov.uk

**Dated 15/08/2023**

## **STROUD DISTRICT COUNCIL TREE PRESERVATION ORDER**

**Land adjacent 162 Arrowsmith Drive, Stonehouse, Gloucestershire, 2023  
TPO/0590**

**Town and Country Planning Act 1990**

**The Town and Country Planning (Tree Preservation) (England) Regulations  
2012**

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## **TREE PRESERVATION ORDER**

**relating to**

**Land adjacent 162 Arrowsmith Drive, Stonehouse, Gloucestershire 2023**

## **TOWN AND COUNTRY PLANNING ACT 1990**

*Leading a community that is making Stroud district a better place to live, work and visit for everyone*

Chief Executive: Kathy O'Leary



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## THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012

### STROUD DISTRICT COUNCIL TREE PRESERVATION ORDER NO TPO/0590

#### Land adjacent 162 Arrowsmith Drive, Stonehouse, Gloucestershire 2023

The Stroud District Council, 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 TPO Number TPO/0590 Land adjacent to 162 Arrowsmith Drive, Gloucestershire, 2023

#### Interpretation

2. (1) In this Order "the authority" means Stroud District 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, 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.



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## 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 15/08/2023

.....  
**Geraldine LeCointe**  
**Head of Development Management**  
Authorised by The Council to sign in that behalf



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## CONFIRMATION OF ORDER

This Order was confirmed by the Stroud District Council without modification on the  
day of 20

OR

This Order was confirmed by the Stroud District Council, subject to the modifications  
indicated by

on the day of 20

Signed on behalf of The Stroud District Council

.....  
**Geraldine LeCointe**  
**Head of Development Management**  
Authorised by The Council to sign in that behalf

## DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Stroud District Council  
on the day of 20

Signed on behalf of the Stroud District Council

.....  
**Geraldine LeCointe**  
**Head of Development Management**  
Authorised by The Council to sign in that behalf



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## VARIATION OF ORDER

This Order was varied by the Stroud District Council on the  
day of 20

by a variation order under reference number a copy of which is attached

Signed on behalf of The Stroud District Council

.....  
**Geraldine LeCointe**  
**Head of Development Management**

## REVOCATION OF ORDER

This Order was revoked by the Stroud District Council on the  
day of 20

under the reference number

Signed on behalf of The Stroud District Council

.....  
**Geraldine LeCointe**  
**Head of Development Management**  
Authorised by The Council to sign in that behalf

*Leading a community that is making Stroud district a better place to live, work and visit for everyone*

Chief Executive: Kathy O'Leary



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## SCHEDULE

### SPECIFICATIONS OF TREES

**TPO Reference and location: TPO/0590 Land adjacent to 162 Arrowsmith Drive**

**TREES SPECIFIED INDIVIDUALLY (encircled in black on the map)**

| <b>Reference on map</b> | <b>Description</b> | <b>Situation</b>                      |
|-------------------------|--------------------|---------------------------------------|
| T1                      | Oak, Quercus       | Land adjacent to 162 Arrowsmith Drive |

**TREES SPECIFIED BY REFERENCE TO AN AREA (within a dotted black line on the map)**

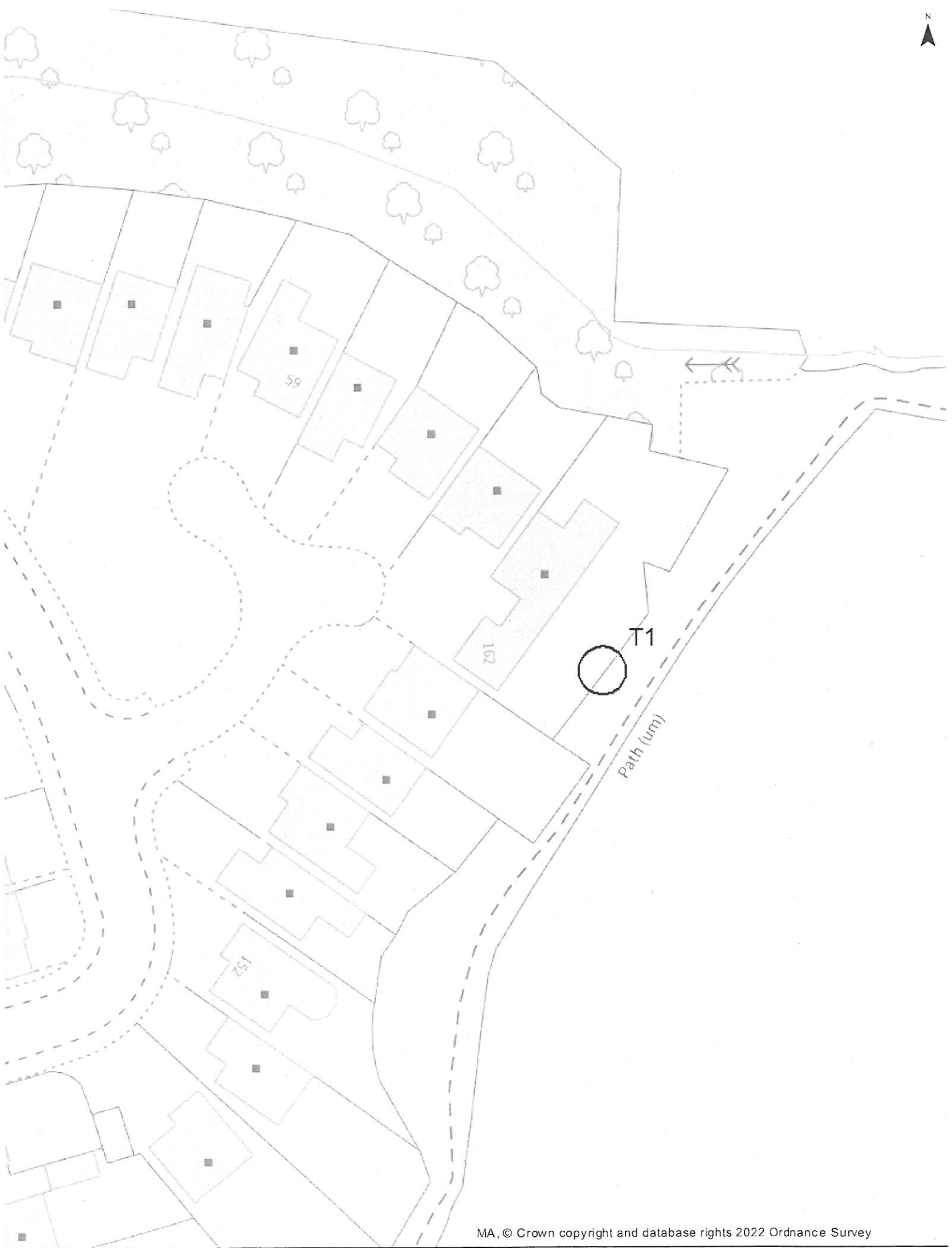
| <b>Reference on map</b> | <b>Description</b> | <b>Situation</b> |
|-------------------------|--------------------|------------------|
|-------------------------|--------------------|------------------|

**GROUPS OF TREES (within a broken black line on the map)**

| <b>Reference on map</b> | <b>Description</b> | <b>Situation</b> |
|-------------------------|--------------------|------------------|
|-------------------------|--------------------|------------------|

**WOODLANDS (within a continuous black line on the map)**

| <b>Reference on map</b> | <b>Description</b> | <b>Situation</b> |
|-------------------------|--------------------|------------------|
|-------------------------|--------------------|------------------|



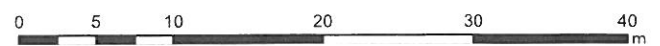
MA, © Crown copyright and database rights 2022 Ordnance Survey

**Stroud District Council**  
TPO/0590 Land adjacent 162 Arrowsmith Drive

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Scale 1:500  
printed at A4 portrait

Date: 15/08/2023



# TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

## SURVEY DATA SHEET & DECISION GUIDE

|       |           |
|-------|-----------|
| Date: | Surveyor: |
|-------|-----------|

|                          |                |          |
|--------------------------|----------------|----------|
| <b>Tree details</b>      |                |          |
| TPO Ref (if applicable): | Tree/Group No: | Species: |
| Owner (if known):        | Location:      |          |

**Part 1: Amenity assessment**

**a) Condition & suitability for TPO:**

Refer to Guidance Note for definitions

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

|               |
|---------------|
| Score & Notes |
|---------------|

**b) Remaining longevity (in years) & suitability for TPO:** Refer to 'Species Guide' section in Guidance Note

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

|               |
|---------------|
| Score & Notes |
|---------------|

**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
- 3) Medium trees, or large trees with limited view only
- 2) Young, small trees, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

|               |
|---------------|
| Score & Notes |
|---------------|

**d) Other factors**

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

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups or principal members of tree 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
- 1) Trees with poor form or which are generally unsuitable for their location

|               |
|---------------|
| Score & Notes |
|---------------|

**Part 2: Expediency assessment**

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree

|               |
|---------------|
| Score & Notes |
|---------------|

Part 3: Decision guide

- Any 0                                      Do not apply TPO
- 1-6                                        TPO indefensible
- 7-10                                        Does not merit TPO
- 11-14                                      TPO defensible
- 15+                                        Definitely merits TPO

|                              |
|------------------------------|
| <b>Add Scores for Total:</b> |
|------------------------------|

|                  |
|------------------|
| <b>Decision:</b> |
|------------------|





















**From:** [REDACTED]  
**Sent:** 14 Sep 2023 01:49:02  
**To:** dms\_main@stroud.gov.uk  
**Cc:**  
**Subject:** FW: Planning Application comments  
**Attachments:**

---

**From:** \_WEB\_Planning <Planning@stroud.gov.uk>  
**Sent:** Wednesday, September 13, 2023 8:36 AM  
**To:** \_WEB\_Planning Idoxing <planning.idoxing@stroud.gov.uk>  
**Subject:** FW: Planning Application comments

Consultee comment



[REDACTED]  
Planning Technician  
**Stroud District Council**

Ebley Mill, Ebley Wharf  
Stroud, Gloucestershire. GL5 4UB

**T** 01453 766321  
**W** [www.stroud.gov.uk](http://www.stroud.gov.uk)

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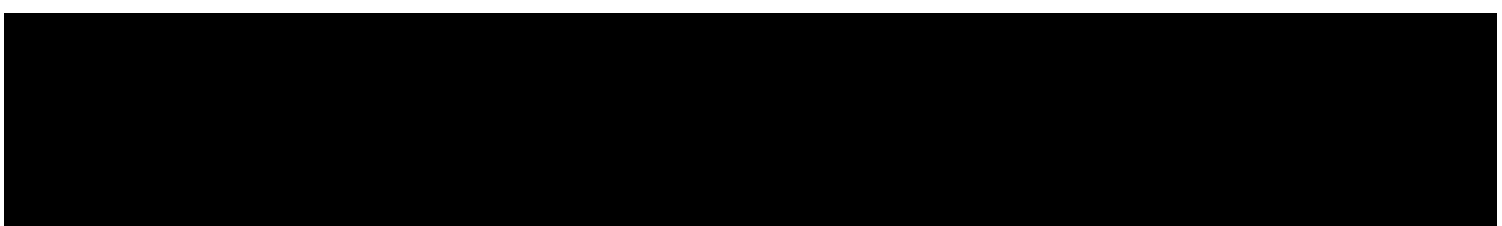
**From:** [REDACTED]  
**Sent:** Tuesday, September 12, 2023 5:47 PM  
**To:** [REDACTED] <\_WEB\_Planning <[Planning@stroud.gov.uk](mailto:Planning@stroud.gov.uk)>>  
[REDACTED]  
**Subject:** RE: Planning Application comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

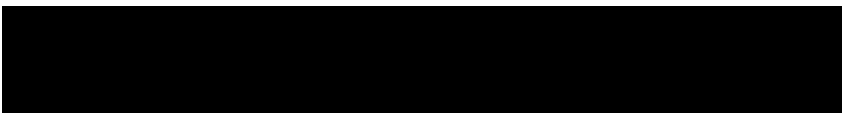
Hi Sarah

Thank you very much for responding so quickly to my problem.

Please find the following comments I could not upload onto the planning portal by virtue of the fact that they did not show up



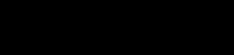
**TPO/0590 Land adjacent to 162 Arrowsmith Drive, Stonehouse (see supporting papers)**  
Oak tree. Respond by 12<sup>th</sup> September.  
**Comment: The town council wholly supports the recommended Tree Preservation Order**



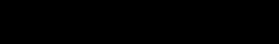


Please can you confirm that these comments have been loaded onto the portal by the respective deadlines.

Thanks



Clerk to Stonehouse Town Council



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**From:** [Redacted]  
**Sent:** Tuesday, September 12, 2023 4:44 PM  
**To:** [Redacted]  
**Subject:** Planning Application comments

Good afternoon,

Following on from our telephone call, the email address you will need to send your comments to is [planning@stroud.gov.uk](mailto:planning@stroud.gov.uk)

Kind regards,



Planning Business Support  
Assistant  
**Stroud District Council**

Ebley Mill, Ebley Wharf  
Stroud, Gloucestershire. GL5  
4UB

**T** 01453 766321  
**W** [www.stroud.gov.uk](http://www.stroud.gov.uk)

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**From:** Ind, Francesca <francesca.ind@stroud.gov.uk>

**Sent:** 25 Sep 2023 08:59:43

**To:** dms\_main@stroud.gov.uk

**Cc:**

**Subject:** FW: Objection to New Tree Preservation Order: TPO/0590

**Attachments:**

---

**From:** [REDACTED]

**Sent:** Friday, September 22, 2023 11:32 AM

**To:** Ind, Francesca <francesca.ind@stroud.gov.uk>

**Subject:** Re: Objection to New Tree Preservation Order: TPO/0590

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Francesca

Any updates on the tree?

We have had a lot of debris over the last few days and I'm concerned that Autumn is approaching fast which will cause us more issues.

Attached another photo of the latest fallen branches and acorns.



Regards



Sent from my iPhone

On 11 Sep 2023, at 12:47, Ind, Francesca <[francesca.ind@stroud.gov.uk](mailto:francesca.ind@stroud.gov.uk)> wrote:

Good afternoon,

Thank you for your emails and I apologise for the delay in responding.

I have added your emails and photographs to the file and will update you on this order as soon as I have any updates.

Kind Regards



**Francesca Ind**

Trainee Arboriculture Officer

**Stroud District Council**

Ebley Mill, Ebley Wharf  
Stroud, Gloucestershire. GL5 4UB

T 01453 754242  
W [www.stroud.gov.uk](http://www.stroud.gov.uk)

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**From:** [REDACTED]  
**Sent:** Monday, September 11, 2023 12:20 PM  
**To:** Ind, Francesca <[francesca.ind@stroud.gov.uk](mailto:francesca.ind@stroud.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** Re: Objection to New Tree Preservation Order: TPO/0590

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Francesca

I have not heard anything back since my email last week.

Just wanted to update you further on the issues coming from the tree. The dry weather has caused a lot of acorns to fall and also more branches have fallen over the weekend. We are really worried about someone getting hurt.

Attached is a video and photo after the weekend.

Regards  
[REDACTED]

Sent from my iPhone

On 4 Sep 2023, at 13:52, [REDACTED] wrote:

Dear Francesca

We have received a letter informing us that there is a temporary TPO on the tree outside our back garden.

We would like to object against this TPO/0590 as the tree is hazard and a danger to our property.

We were in the process of having the tree removed before this TPO was put in place, as it is old and crumbling, there is also high risk of the bigger branches breaking and falling on to our house roof causing some serious damage.

It is also a danger to our children as there are lots of branches falling into our garden already as can be seen in the attached photos and we have restricted them from using that part of the garden.

We have been trying to figure out who owns the tree since April 2023 without any success and had taken the final decision to pay for the removal before it caused any damage to the property. We have had some high winds and thunderstorms which caused a lot of branches to break and fall into the garden causing a near miss to the patio glass table. we have had to move our furniture to another area of the garden.

I am not sure who can actually enjoy the tree as the path behind our houses has never been cleaned or cleared, we cannot even open our back gate as the nettles have overgrown so much. Recently one of

the kind neighbours took his lawnmower down it so he could clear some of the path for the dog walkers.

We had the arrangements in place to have the tree removed on our return from holiday and are very frustrated to receive this TPO letter.

We have spoken to our neighbours and we all think it is a hazard to us all as the leaves block up all our gutters and make the gardens very slippery and dangerous. The blocked gutters are causing a risk for damp in the properties. it is also very expensive to have the gutters cleared all the time.

The best and safest case for us all would be to have the tree removed.

I would recommend for you to arrange a viewing of the tree and the issues it is causing us.

Below is information of our neighbours who are equally annoyed and frustrated by the tree and the lack of maintenance of it by the council.

[REDACTED]  
162 Arrowsmith Drive

[REDACTED]  
160 Arrowsmith Drive

[REDACTED]  
65 Arrowsmith Drive

[REDACTED]  
63 Arrowsmith Drive

[REDACTED]  
61 Arrowsmith Drive

We really appreciate if the TPO can be removed and you can support us in cutting down the tree.

Kind Regards

[REDACTED]  
162 Arrowsmith Drive  
Stonehouse  
GL10 2QR