



STROUD DISTRICT COUNCIL

Ebley Mill • Ebley Wharf • Stroud • Gloucestershire • GL5 4UB

01453 766321

www.stroud.gov.uk

Dated 20/07/2023

STROUD DISTRICT COUNCIL TREE PRESERVATION ORDER

**Land at Gunhouse Lane, Stroud, Gloucestershire, 2023
TPO/0587**

Town and Country Planning Act 1990

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

TREE PRESERVATION ORDER

relating to

Land at Gunhouse Lane, Stroud, Gloucestershire 2023



STROUD DISTRICT COUNCIL

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

TOWN AND COUNTRY PLANNING ACT 1990 THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012

STROUD DISTRICT COUNCIL TREE PRESERVATION ORDER NO TPO/0587

Land at Gunhouse Lane, Stroud, 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/0587 Land at Gunhouse Lane, Stroud, 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.



STROUD DISTRICT COUNCIL

Ebley Mill • Ebley Wharf • Stroud • Gloucestershire • GL5 4UB

01453 766321

www.stroud.gov.uk

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 20/07/2023

.....
John Chaplin – Majors and Environment Team Manager
Authorised by The Council to sign in that behalf



STROUD DISTRICT COUNCIL

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

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

.....
John Chaplin – Majors and Environment Team Manager
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

.....
John Chaplin – Majors and Environment Team Manager
Authorised by The Council to sign in that behalf



STROUD DISTRICT COUNCIL

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

VARIATION OF ORDER

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

by a variation order under reference number [insert reference number to the variation order] a copy of which is attached

Signed on behalf of The Stroud District Council

.....
John Chaplin – Majors and Environment Team Manager

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

.....
John Chaplin – Majors and Environment Team Manager
Authorised by The Council to sign in that behalf



STROUD DISTRICT COUNCIL

Ebley Mill • Ebley Wharf • Stroud • Gloucestershire • GL5 4UB

01453 766321

www.stroud.gov.uk

SCHEDULE

SPECIFICATIONS OF TREES

TPO Reference and location:

TPO/0587 Land at Gunhouse Lane, Stroud, Gloucestershire

TREES SPECIFIED INDIVIDUALLY (encircled in black on the map)

Reference on map	Description	Situation
T1	Lawsons Cypress	Grid reference: SO 86171 03984

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

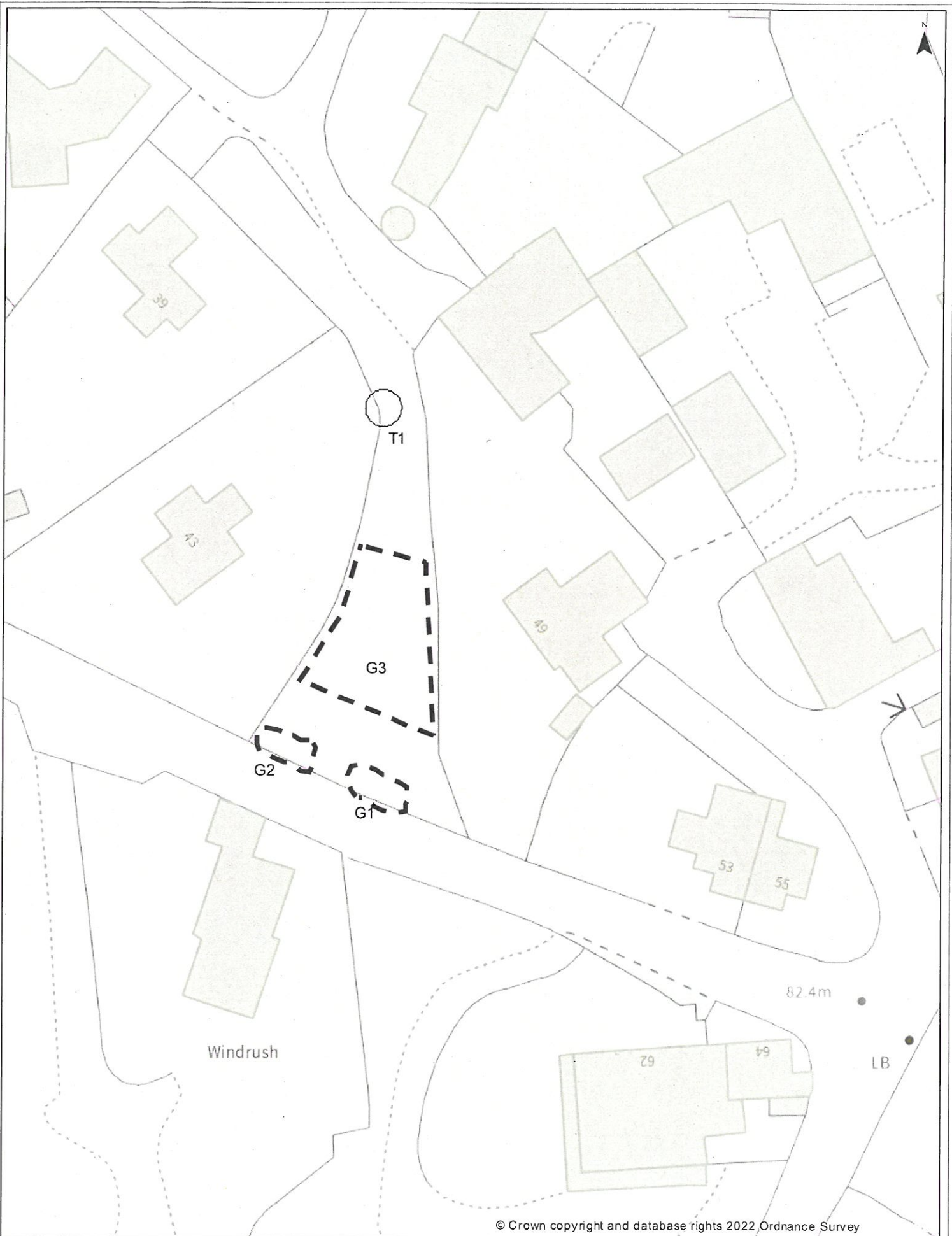
Reference on map	Description	Situation
None		

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

Reference on map	Description	Situation
G1	3no Lime Trees	Grid reference: SO 86174 03936
G2	3no Lime Trees	Grid reference: SO 86160 03945
G3	15no Yew Trees	Grid reference: SO 86171 03957

WOODLANDS (within a continuous black line on the map)

Reference on map	Description	Situation
None		



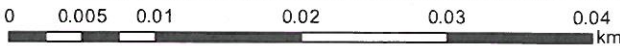
© Crown copyright and database rights 2022 Ordnance Survey

Stroud District Council
 TPO/0587 Land at Gunhouse Lane

Scale 1:500
 printed at A4 portrait

Date: 14/07/2023

© Crown copyright and database rights 2022 Ordnance Survey 100019682



TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

SURVEY DATA SHEET & DECISION GUIDE

Date: <input style="width: 80%;" type="text" value="20/01/2023"/>	Surveyor: <input style="width: 95%;" type="text" value="Justin Hobbs"/>
---	---

Tree details	
TPO Ref (if applicable): <input style="width: 80%;" type="text" value="S.22/1938/NEWTPO"/>	Tree/Group No: <input style="width: 80%;" type="text" value="G2"/>
Species: <input style="width: 80%;" type="text" value="3no Lime"/>	Owner (if known): <input style="width: 80%;" type="text"/>
Location: <input style="width: 80%;" type="text" value="Land at Gunhouse Lane, Bowbridge"/>	

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
3 - Fully mature, intervention/remedial works maybe required in future, appear in good health although dense basal epicormic growth prevented detailed

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
4 - At least 40 years is an appropriate estimate, even if remedial works are required.

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 |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small trees, 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 - Large and prominent.

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) 1. |
| 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
1.

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
2 - local information.

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 |

Add Scores for Total:
15

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

SURVEY DATA SHEET & DECISION GUIDE

Date: <input style="width: 80%;" type="text" value="20/01/2023"/>	Surveyor: <input style="width: 95%;" type="text" value="Justin Hobbs"/>
---	---

Tree details	
TPO Ref (if applicable): <input style="width: 80%;" type="text" value="S.22/1938/NEWTPO"/>	Tree/Group No: <input style="width: 80%;" type="text" value="T1"/>
Owner (if known): <input style="width: 80%;" type="text"/>	Species: <input style="width: 80%;" type="text" value="Lawsons cypress, Chamaecyparis lawsoniana"/>
Location: <input style="width: 95%;" type="text" value="Land at Gunhouse Lane, Bowbridge"/>	

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
3 - Ivy clad main stem and limbs

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
2 - Conservative estimate.

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 |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small trees, 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 Prominent, tall tree adjacent to footpath and in an elevated position.

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
1.

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
2 - local information.

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 |

Add Scores for Total:
13

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

SURVEY DATA SHEET & DECISION GUIDE

Date: <input style="width: 80%;" type="text" value="20/01/2023"/>	Surveyor: <input style="width: 95%;" type="text" value="Justin Hobbs"/>
---	---

Tree details	
TPO Ref (if applicable): <input style="width: 80%;" type="text" value="S.22/1938/NEWTPO"/>	Tree/Group No: <input style="width: 80%;" type="text" value="G2"/>
Species: <input style="width: 80%;" type="text" value="3no Lime"/>	Owner (if known): <input style="width: 80%;" type="text"/>
Location: <input style="width: 95%;" type="text" value="Land at Gunhouse Lane, Bowbridge"/>	

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
3 - Fully mature, intervention/remedial works maybe required in future, appear in good health although dense basal epicormic growth prevented detailed

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
4 - At least 40 years is an appropriate estimate, even if remedial works are required.

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 |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small trees, 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 - Large and prominent.

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
1.

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
2 - local information.

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 |

Add Scores for Total:
15

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

SURVEY DATA SHEET & DECISION GUIDE

Date: <input style="width: 80%;" type="text" value="20/01/2023"/>	Surveyor: <input style="width: 95%;" type="text" value="Justin Hobbs"/>
---	---

Tree details	
TPO Ref (if applicable): <input style="width: 80%;" type="text" value="S.22/1938/NEWTPO"/>	Tree/Group No: <input style="width: 80%;" type="text" value="G3"/>
Owner (if known): <input style="width: 80%;" type="text"/>	Species: <input style="width: 80%;" type="text" value="15no Yew"/>
Location: <input style="width: 95%;" type="text" value="Land at Gunhouse Lane, Bowbridge"/>	

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
3 - Some poorer quality individuals within group.

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
5 - Yew trees are very long lived.

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 |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small trees, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes
4 As a group moderate size and visibility + footpath running through the group

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
1.

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
2 - local information.

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 |

Add Scores for Total:
15

Decision:
TPO

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

Sent: 02 Oct 2023 09:42:22

To: dms_main@stroud.gov.uk

Cc:

Subject: FW: New Tree Preservation Order

Attachments:

From: clerk@brimscombeandthrupp-pc.gov.uk <clerk@brimscombeandthrupp-pc.gov.uk>

Sent: Thursday, March 16, 2023 10:17 PM

To: Porter, Simon <simon.porter@stroud.gov.uk>; Hobbs, Justin <justin.hobbs@stroud.gov.uk>

Cc: _CLLR_Aldam, Rebecca <Cllr.Rebecca.Aldam@stroud.gov.uk>

Subject: RE: New Tree Preservation Order

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

Dear Justin,

Brimscombe and Thrupp Parish Council considered the new Tree Preservation Order (S.22/1938/NEWTPO) at the Parish Council meeting on Tuesday 14th March 2023, and resolved to fully support the application (the minute reference for this is 14/03/2023, minute reference 8.5).

Please could you let me know if you require any other information.

With best wishes,

Hannah

Clerk and Responsible Financial Officer

Brimscombe and Thrupp Parish Council


Email: clerk@brimscombeandthrupp-pc.gov.uk


Parish Council Telephone Number: 07421313599

I work flexibly. If I'm sending this email outside of regular hours it is because it suits my work pattern just now, and, importantly, I don't expect you to read, respond, or action it outside of your regular hours.

The information included in this e-mail is of a confidential nature and is intended only for the addressee. If you are not the intended addressee, any disclosure, copying or distribution by you is prohibited and may be unlawful. Disclosure to any party other than the addressee, whether inadvertent or otherwise is not intended to waive privilege or confidentiality.

Stroud District Council
FAO John Chaplin
Ebley Mill, Ebley Wharf
Stroud, Glos
GL5 4UB
cc Justin Hobbs SDC


58 Thrupp Lane
Stroud, Glos
GL5 2ER


RE: New TPO 0857 – your letter 20/07/2023

Dear Sirs,

While I applaud the Council's efforts to preserve trees in the area, I trust that consideration is given to general safety. I am requesting that before this TPO is granted, a risk assessment is undertaken.

I make the following objections:-

- It is implied that these trees are on Gunhouse Lane. They are not.
- The upper canopy of trees G1 & G2 (*your reference*) has been allowed to spread over Thrupp Lane without any maintenance for at least 46 years. We frequently see fallen branches on the road & it is fortuitous that no damage to cars or pedestrians has occurred - as far as we are aware.
- Trees G1 & G2 now also extend over our property and in the increasingly unpredictable weather, dead branches now fall onto our roof and into our garden. (we are particularly concerned for the safety of our grandchildren)
- I urge the council to require the owner (who no longer appears to live in Gunhouse Lane) to ensure the trees are made safe for Thrupp Lane residents and users of the road – including Thrupp School children and their parents.

A risk assessment seems a necessity.

Yours faithfully,


Mulberry House
43 Thrupp Lane
Stroud
Glos GL5 2ER

12th August 2023

John Chaplin
Majors & Environment Team Manager
Stroud District Council
Ebley Mill
Ebley Wharf
Stroud
Glos GL5 4UB

Mail Room Services

15 AUG 2023

Received

Dear Mr Chaplin

New Tree Preservation Order: TPO/-587 – Land at Gunhouse Lane, Stroud, Glos

Further to your letter dated 20th July regarding the New Tree Preservation Order affecting the trees on Land at Gunhouse Lane. We would like to make the following points of concern: -

- **Height of Trees and lack of Maintenance**

We are extremely concerned with the lack of maintenance of trees G1 and G2. These trees have not been maintained by the owner in the 20+ years that we have lived in our property, and I understand from neighbours who have resided in the Lane for much longer who have never witnessed any maintenance on the said trees. We have approached the owner of the copse (who I understand no longer resides in Thrupp) asking for permission to cut back the trees overhanging our property. This was refused point blank with no conversation apart from threatening court action should we touch the trees. The owner only converses through a third-party agent [REDACTED]

It was suggested by [REDACTED] that we undertake a tree survey – which we did at our own cost of £180 + VAT in October 2020. (Please find enclosed a copy of the tree survey undertaken by Hutchinson Arboticulture for your information). This survey was given to the owner who point blank refused to undertake any maintenance or to allow us to undertake any maintenance. This shows a complete lack of responsibility to the public using the footpath and homeowners currently affected by the trees. We understand the owners should have public liability insurance for this copse to ensure the safety of the general public.

The canopy of both G1 and G2 now spreads over our garden and Thrupp Lane by at least 7 metres, with frequently falling large branches into our garden, Thrupp Lane and neighbouring properties and of course, within the copse itself. We look after our grandchildren on a regular basis, and we now fear for their safety whilst playing in the garden and do not allow them to play in that section of the garden due to the risk of falling branches.

- We are also concerned for the safety of Thrupp School children who also frequently use as a cut through for both walking to and from school and for school trips.




- We have correspondence dating back to 2008 with [REDACTED] (see enclosed) so you can see the timeline of conversations regarding our concern over maintenance of the trees.
- Those neighbours requesting the TPO on these trees live in Gunhouse Lane and not Thrupp Lane and therefore the trees do not impact on their daily life. They also do not have the worry of the risk of falling branches during high winds.

Whilst we are not opposed to the TPO we have great concerns regarding the lack of maintenance of these trees and this should be looked at before granting a TPO. We would also ask that a thorough risk assessment be carried out before the TPO is granted along with proof of public liability insurance from the owner.

Finally, our concern is that once the TPO is granted the owner will relinquish all responsibility for the area.

Yours sincerely

[REDACTED]

 <p data-bbox="443 421 1204 504">Hutchison Arboriculture <small>(Incorporated in the Arboricultural Council)</small></p> <p data-bbox="414 548 1077 616">[REDACTED] BSc Hons, Dip Arb L4, MArborA Director and Practicing Consultant</p>	 <p data-bbox="1316 347 1500 436">Arboricultural ASSOCIATION Professional Member</p>  <p data-bbox="1324 604 1492 638">Consulting Arborist Society.com PROFESSIONAL MEMBERS</p>
--	---

14th October 2020

[REDACTED]
43 Thrupp Lane,
Thrupp,
Stroud,
GL5 2ER.

Dear [REDACTED]

Trees overhanging the eastern boundary and garden of 43 Thrupp Lane.

1. Instruction.

- 1.1 You have two yew trees and one small-leaved lime overhanging your eastern property boundary, causing significant shading of your garden and patio. The trees grow as part of a copse, on third-party land to the east. You have sought permission to prune the trees from the owner, who has requested that you seek advice on how to prune the trees without long-term detrimental effect.
- 1.2 Therefore, you have asked Hutchison Arboriculture to inspect the trees and make recommendations.

2. Inspection.

- 2.1 I visited the site on the 13th October 2020, and carried out an inspection.
- 2.2 The survey was from ground level, from within your garden, from Thrupp Lane and from the copse. It involved visual observation only (Visual Tree Assessment: Mattheck and Breloer 1994 and Lonsdale 1999).
- 2.3 The survey was carried out by [REDACTED] BSc Hons, Dip Arb L4, MArborA, who has thirteen years' experience of managing trees, is a LANTRA qualified professional tree inspector and is a professional member of the Arboricultural Association (AA) and the Consulting Arborist Society (CAS)

3. Report Limitations.

- 3.1 Due to the changing nature of trees -- and possibly other site circumstances -- this report and recommendations are limited to a eighteen month period. Similarly, this report could be invalidated if any alterations are made to the property that could change the current circumstances.
- 3.2 Under certain circumstances, roots can affect foundations, drains and other underground services. These issues have not been addressed by this report.
- 3.3 Trees are dynamic structures that can never be guaranteed 100% safe; even those in good condition can suffer occasional damage under only average weather conditions. A lack of recommended work does not imply that a tree will never suffer damage.

4. The Site.

4.1 The overhanging trees grow on the western edge of a small copse, located just beyond the eastern boundary of 43 Thrupp Lane. One small-leaved lime overhangs the south-eastern corner of the garden. This shares a crown with another small-leaved lime immediately to the east, within the copse. We refer to both as group G1. Two yew trees (T2 and T3) are located just north, along the eastern property boundary. Numerous further yew trees grow within the copses, to the east. Approximate tree locations are shown on the annotated Google earth image below. Trees are discretely paint-numbered for identification on site.

4.2 Google aerial photo, below, taken 19th April 2018.



5. The Trees.

- 5.1 Small-leaved lime group G1 comprises two multi-stemmed trees, originating from what appear to be old, lapsed coppices or pollards. Dense sucker growth surrounds the bases, preventing thorough inspection. Only the most westerly of the of the two limes overhang the garden of number 43. However, the two trees form one crown.

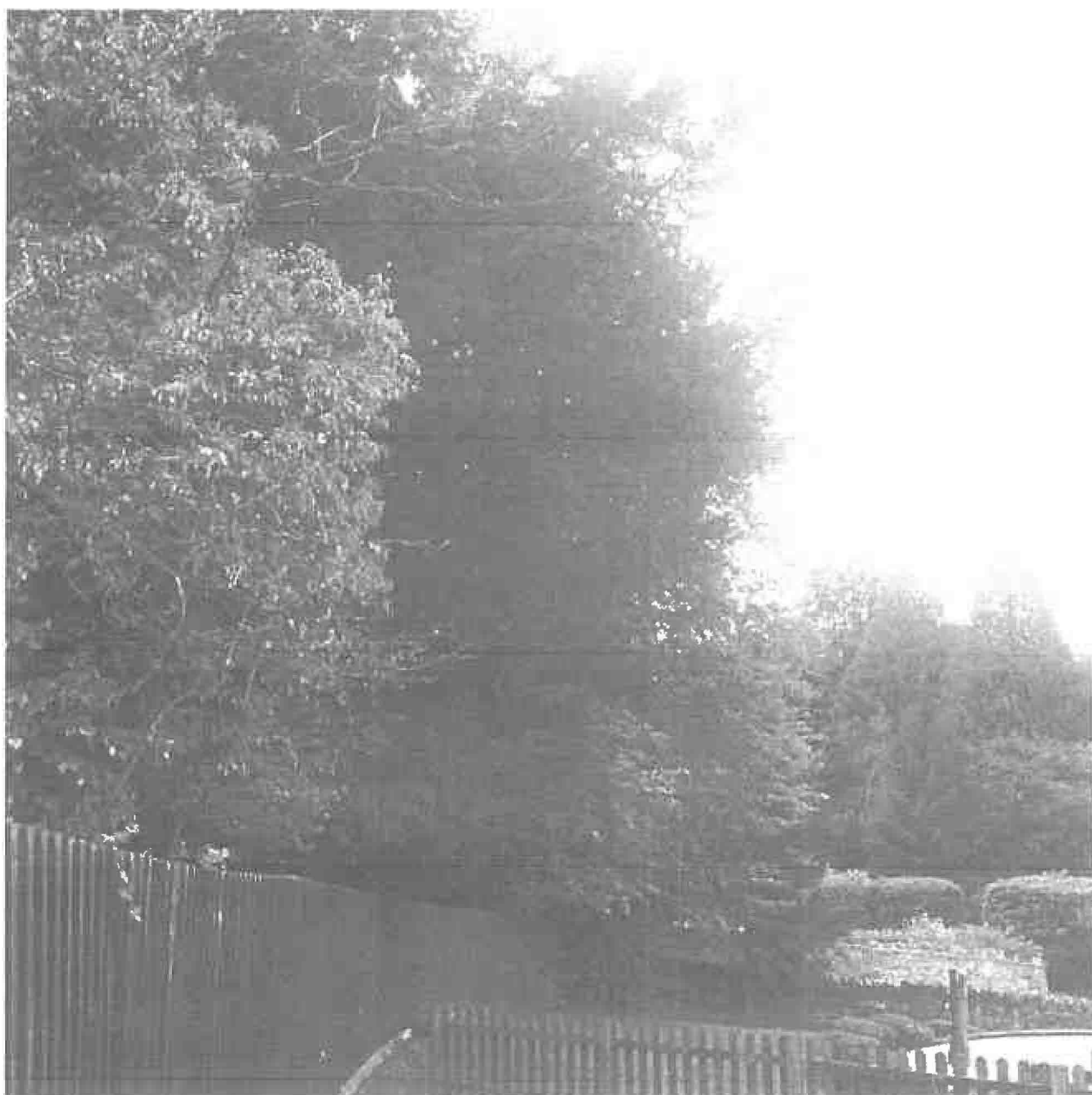
The two stools comprise approximately seven main stem, with an approximate average diameter of 500mm above ground level. They have an approximate height of 22m and crown radii of 9m north and south, 5m east and 8m west.



5.1.1 View east along Thrupp Lane towards limes G1, with yews T2 and T3 to the right.

5.2 Yew T2 has an approximate stem diameter of 550mm at 1.5m above ground level and a height of 12m. It has crown radii of 5m north and south, 0m east and 6.5m west. Of its 6.5m western radius, 4.5m overhang the garden of number 43. The tree is suppressed by neighbouring trees to the east, resulting in poor form, with a significant kink west in its main stem, at approximately 4m. It has also suffered historic stem loss at approximately 3m south-west.

Yew T3 has an approximate stem diameter of 600mm at 1.5m above ground level and an approximate height of 14m. It has crown radii of 5m north, 3m east, 2m south and 8.2m west. Of its 8.2m western radius, 4.5m overhang the garden of number 43.



5.2.1 View south along eastern property boundary. Yews T2 and T3 overhanging the garden, with limes G1 beyond.

6. Discussion:-

- 6.1 Limes G1 grow tight to the eastern boundary of number 43, overhanging by approximately 7m. The southern crown radius extends 9m over Thrupp Lane, to the bungalow on the south side of the road. The trees are also very tall, dominating their immediate surroundings.

Only the most westerly of the two limes in G1 overhangs the garden of number 43. However, they form one crown and should be treated as one if reduced. Removing only overhanging westerly branches would leave the crown unbalanced and unsightly.

Two further multiple-stemmed limes are located just east of G1, on the southern edge of the copse. These are of approximately the same age and size as the limes in G1.

- 6.2 Yews T2 and T3 overhang the eastern boundary of number 43 by approximately 4.5m. The two trees differ in height by approximately 2m.

Tree T2 is of poor form, due to suppression by neighbouring trees to the east. It has also suffered significant historic branch loss, with moderate decay ingress at the wound. Therefore, its safe, useful life expectancy is reduced compared with that of other surrounding yews.

Numerous further yews are located just east, within the copse. The Crowns of yews T2 and T3 merge with the crowns of other yews to the east.

7. Recommendations:-

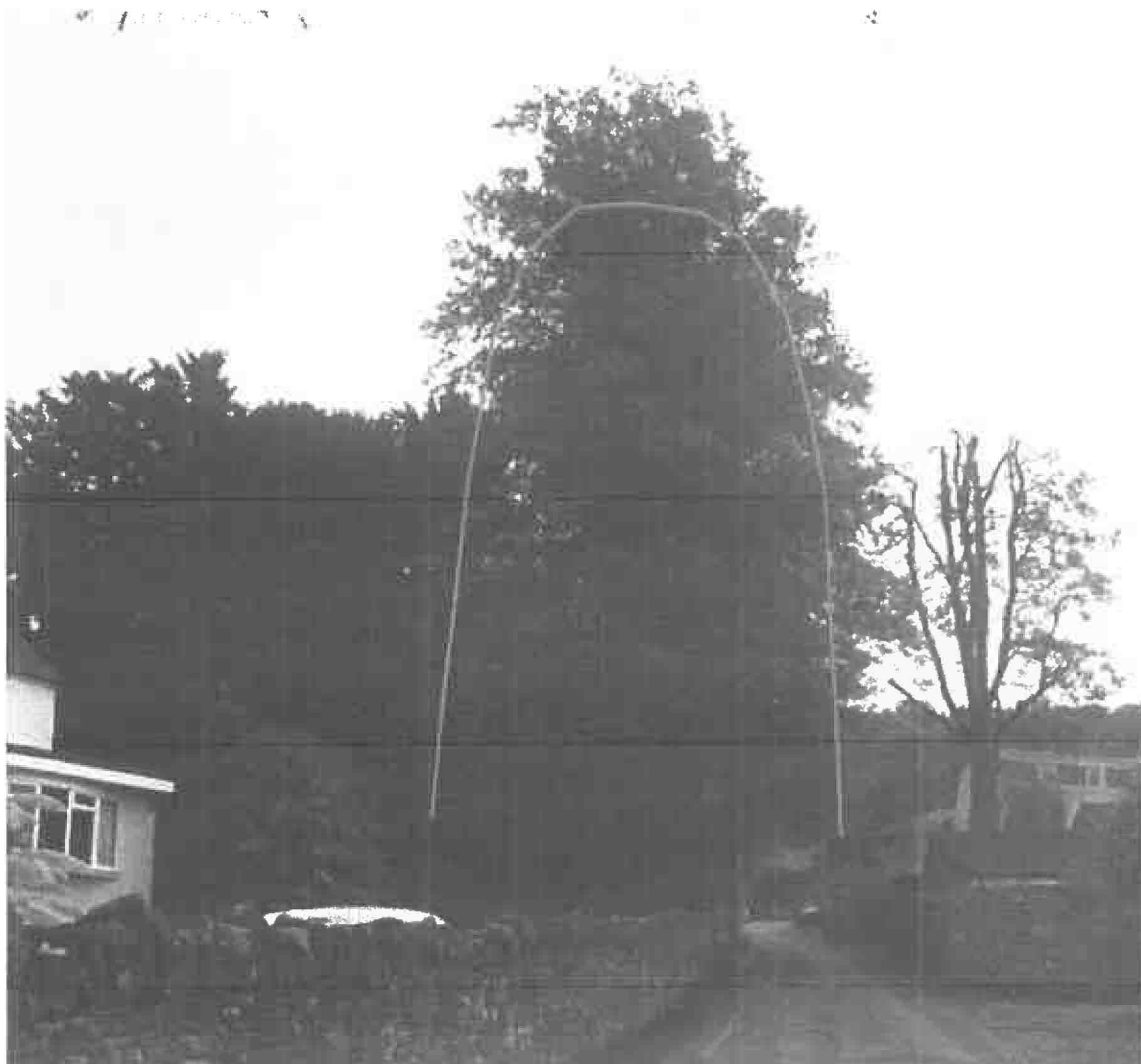
7.1 *Limes G1*

Remove basal growth from ground level to 2m and inspect base and main stem.

Reduce height by approximately 4m from 22m to 18m. Reduce radii north and south by 3m, from approximately 9m to 6m. Reduce the crown radius west by approximately 2m from 8m to 6m. No reduction of the eastern canopy is required.

Branches should be pruned back to live side growth. Finished pruning cuts should be between 35 and 70mm in diameter.

This may leave limes immediately to the east slightly more exposed to prevailing south-westerly winds. Therefore, consideration should be given to the reduction of all limes along the southern edge of the copse.



7.1.1 Red line indicated approximate finished dimensions following reduction.

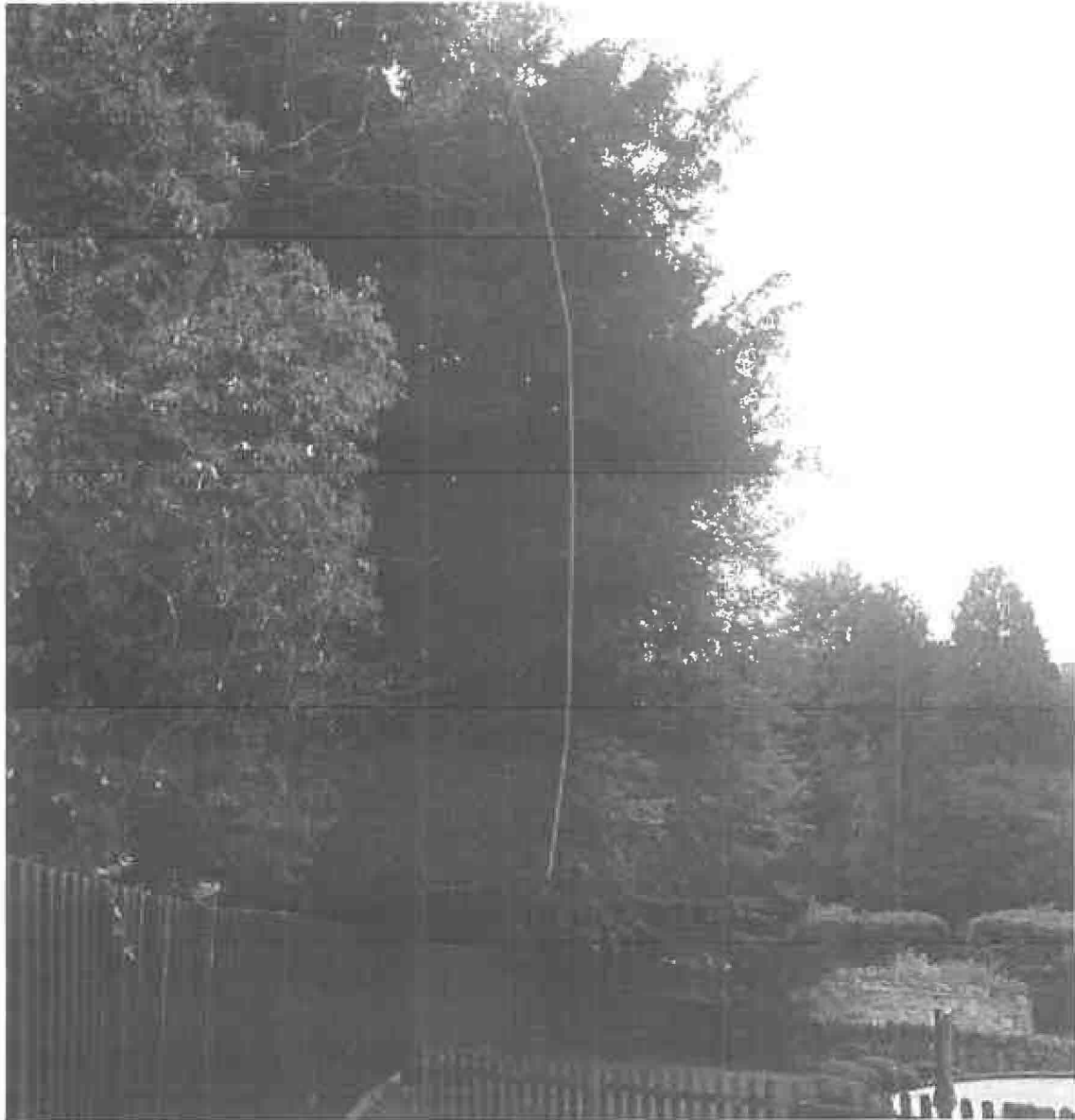
7.2 *Yews T2 and T3 Option 1.*

Reduce the western canopy radius by 2m to 2.5m, leaving a remaining overhang of 2m to 2.5m. Reduce the height of yew T3 by approximately 2m, from 14m to 12m, to match the crown height of T2. Graduate the height reduction to blend into other yew canopies to the east.

Branches should be pruned back to live side growth. Finished pruning cuts should be between 35 and 70mm in diameter.

Yews T2 and T3 Option 2.

Remove T2 and allow better-quality surrounding trees to occupy the space. Reduce yew T3 as described in option 1.



7.2.1 Red line indicated approximate finished dimensions following reduction.

7.3 Treework informatives, included for general information:-

7.3.1 Disturbance to wildlife.

It is essential to check for nesting birds, bat roosts, badgers and hibernating animals such as hedgehogs under trees, before pruning or removing trees, as negligent disturbance is an offence under the EC Habitats Directive 92/43/EEC, Countryside and Rights of Way Act 2000, Protection of Badgers Act 1992. The Conservation (Natural Habitats, & C) (Amendment) Regulations 2007 make **any** damage or destruction of a breeding site or resting place of a European Protected species (mainly bats in a tree context) an offence.

In general, autumn tree work: **September, October and November** is least disruptive to bats and birds. Work on very ivy-clad trees may need a formal pre-start bat assessment by a trained bat worker.

7.3.2 Permission

Trees may be owned by third-parties.

Trees may be protected by planning conditions.

Felling trees > 8cm dbh or 10cm dbh for thinning may need a Felling Licence. Therefore, a contractor must satisfy himself that all necessary permissions from the local planning authority or tree owners are in place before touching trees.

7.3.3 Quality of Tree Work

All off-ground tree work should be done by an insured tree surgeon with certificates in aerial chainsaw use (new designations:- NPTC 020-04, 0020-05, 0020-07, 0021-01, 0021-07; LANTRA 600/5703/8, 600/5717/8, 600/5715/5, 600/5704/X, 600/5714/2), and working to BS3998:2010 and working to BS3998:2010, and "Treework at Height", the Arboricultural Association's ICoP.

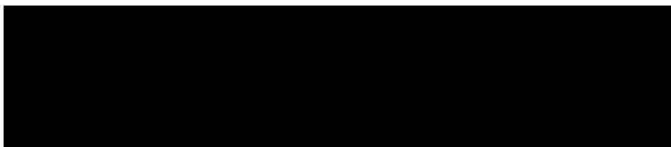
(Stumps can be left to shoot again, ground out, or grubbed out, or poisoned depending on location.)

Yours sincerely,



BSc Hons, Dip Arb L4, MArborA

Director and Practicing Consultant



References:

- "The Body Language of Trees". Claus Mattheck and Helge Breloer. HMSO 1994.
- "Principles of Tree Hazard Assessment and Management". David Lonsdale. HMSO 1999.
- "Diagnosis of ill- health in trees2. R.G Strouts and T.G Winter. The Arboricultural Association 2014
- BS 3998: 2010 "British Standard Recommendations for Treework"

[REDACTED]

From: [REDACTED]
Sent: 14 October 2020 15:37
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Please Pass on to [REDACTED] Re Over hanging trees Thrupp Lane

Good Afternoon [REDACTED]

Thank you for your email which follows up my last meeting with [REDACTED] I am therefore aware of your approach regarding the trees.

I will therefore carry out my inspection which will be greatly assisted by the report from Hutchinson Arboriculture. I will then report to [REDACTED] and revert to you thereafter.

In the meantime I trust you and your family are keeping well in these rather surreal times. Hopefully 2020 will bring good news to us all?

Kind regards to you both.

[REDACTED]

This Email is confidential and may contain legally privileged information. If you are not the intended recipient it may be unlawful for you to read, copy, distribute, disclose or otherwise make use of this information.

From: [REDACTED]
Sent: 14 October 2020 12:31
To: [REDACTED]
Subject: Please Pass on to [REDACTED] Re Over hanging trees Thrupp Lane

Dear [REDACTED]

Ref: Copse and footpath between Gunhouse Lane and Thrupp lane and over grown trees backing on to 43 Thrupp Lane

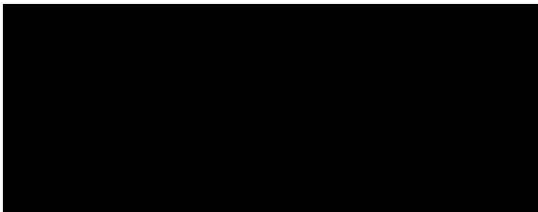
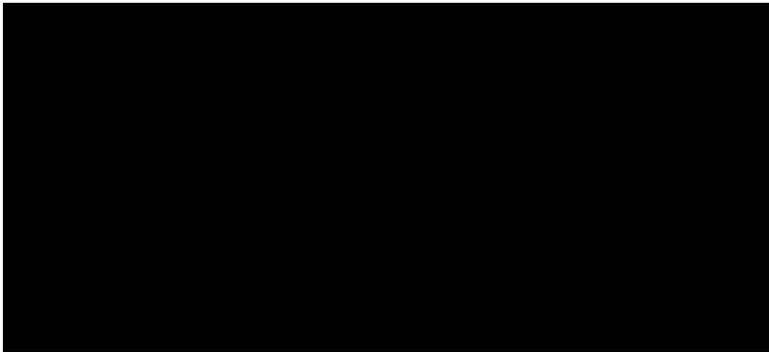
Further to my telephone conversation with [REDACTED] on Friday 25th October regarding the overhanging and over grown trees from the Copse which they own. Please find attached a copy of the report from Hutchison Arboriculture.

We have also contacted Stroud District Council who have conducted a search on the Copse and it was found that there are no Preservation Orders on any of the trees. They also confirmed it is outside of the conservation area and therefore SDC permission is not required to cut the trees back or down. They also confirmed the landowner (of the copse) is solely responsible for the maintenance and upkeep of the said area. The landowner also has the responsibility of safeguarding and the health and safety of the general public using the copse and the surrounding properties and Highways.

Please can you forward this email along with the report from Hutchison Arboriculture to Mr & Mrs Orchard

We look forward to their reply.

Kind regards



Copyright© of Rush skatepark C.I.C. This communication and any attachments are confidential and for the sole use of the intended person(s). If you have received this communication in error, please notify the sender by reply and delete accordingly. Recipients agree that this document is loaned with confidential restrictions, and with the understanding that neither it nor the information contained therein will be stored, reproduced, used or disclosed in whole or in part for any purpose except as may be specifically authorised in writing by Rush Skatepark C.I.C.

Disclaimer

Any opinions expressed in this communication are those of the individual and not necessarily Rush Skatepark C.I.C. Any attachments to this communication could potentially contain viruses or other malware that could damage your computer. Whilst the sender has taken reasonable precautions to minimize the risk of damage from transmitted files, Rush Skatepark C.I.C cannot accept liability for any damaged or loss sustained as a result of software viruses or other malware. The recipient should carry out suitable virus checks before opening any attachments.

Our Ref: AWW/4286/JAC
Your Ref:

[REDACTED]
43 Thrupp Lane
Stroud
GL5 2ER

SUBJECT TO CONTRACT
WITHOUT PREJUDICE

31 October 2008

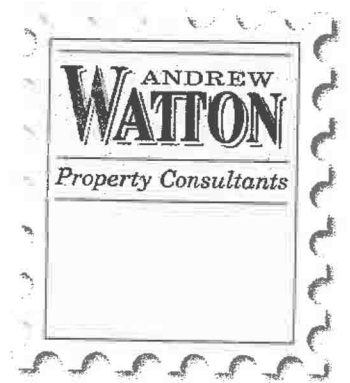
Dear [REDACTED]

Gunhouse Lane

Further to your letter of 15 October 2008, I am writing to confirm that the letter has been copied and passed to my client and I anticipate having further instructions towards the end of next week.

In the meantime, if you have any specific queries or thoughts, please let me know.

Yours sincerely



Cornhill Chambers
Union Street, Stroud
Gloucestershire
GL5 2JT



Property Consultants
Commercial Estate Agents
Valuers and Auctioneers
Planning Consultants
Estate Management

Our Ref: AWW/4286/JAC
Your Ref:

[REDACTED]
Mulberry House
43 Thrupp Lane
Stroud
GL5 2ER

SUBJECT TO CONTRACT
WITHOUT PREJUDICE

10 November 2008

Dear [REDACTED]

Copse and footpath between Gunhouse Lane and Thrupp Lane

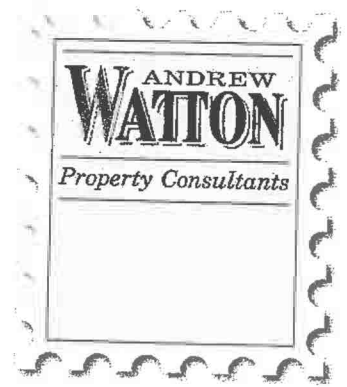
Your letter of 15 October 2008, having been relayed to my client, has been the subject to some discussion.

Unfortunately, from a tree pruning point of view, the wooded copse is subject to strict Tree Preservation Orders and as such work as described in your letter cannot be undertaken without the full permission of the Arborological Department of the Local Authority. In the circumstances, you may well wish to investigate further the attitude of Stroud District Council as to the nature of your problem.

Yours sincerely

[REDACTED]

[REDACTED]



Cornhill Chambers
Union Street, Stroud
Gloucestershire
GL5 2JT

[REDACTED]

Property Consultants
Commercial Estate Agents
Valuers and Auctioneers
Planning Consultants
Estate Management

copy

**Mulberry House
43 Thrupp Lane, Stroud, Glos GL5 2ER**

[REDACTED]
Property Consultants
Cornhill Chambers
Union Street
Stroud
Glos GL5 2JT

20 November 2008

Dear [REDACTED]

Copse and Footpath between Gunhouse Lane and Thrupp Lane

Further to your letter of 10 November 2008. In this letter you state that the wooded copse is subject to strict Tree Preservation Orders, this should have been stated on the drawings provided to us in your letter dated 13 October 2008.

We have since contacted Stroud District Council who conducted a search on the Copse and it was found that there are no Preservation Orders on any of the trees. We have also spoken to our neighbours, [REDACTED] and [REDACTED] and they inform us that upon contact with [REDACTED] he gave them permission to prune or cut back any of the trees at their own financial cost. If the trees had Preservation Orders on them [REDACTED] would have had to seek Planning Permission to do so.

The Council stated that whoever owns the land are solely responsible for the maintenance and upkeep of the Copse. We have been advised to have a reputable tree maintenance company to assess the trees, which we have done and are currently awaiting their survey, a copy of which will be forwarded to your client via yourselves upon receipt.

We look forward to your reply.

Yours sincerely
[REDACTED]

The Old Coach House,
Gunhouse Lane,
Thrupp,
Stroud,
Glos
GL5 2DB

Att. Mr Justin Hobbs,
Planning Dept.,
Stroud District Council,
Ebley Mill,
Ebley Wharf,
Stroud,
GL5 4UB

Mail Room Services

13 FEB 2023

Received

Dear Mr Hobbs,

TPO – TPO 584 – SMALL COPSE

As residents, home and business owners of property bordering on the area labelled as 'small copse' we wish to **object** to the proposed TPO for land off Gunhouse Lane.

The trees in this area have been allowed over many years to grow unmaintained. We have lived here for 26 years, during which time no maintenance has been done on these trees. They have become over large encroaching on neighbouring properties, damaging fencing and blocking light.

Among the others, a main concern is the very large tree, described as Lawsons Cypress (*Chamaecyparis Lawsonia*). A tree not native to our country. Reference on map – T1 – tree in solid black circle.

We have raised concerns regarding this tree with the landowner many times, only to be ignored.

The tree is unmaintained, overgrown and full of ivy. It has many boughs that are dangerously hanging off and the tree itself is progressively leaning towards neighbouring properties. This is obviously a concern and as the applicant stated this path is regularly used by local residents and school children. We feel this is a legitimate risk to property and potentially life. Due to

this we feel this tree should definitely not be included in the TPO, as this tree is already dangerous.

The applicant for this TPO does not live bordering the 'small copse' and didn't consult with property owners who do border the area and so was possibly not aware of the problems with this particular tree and that a recent survey had taken place on the trees in this area.

We look forward to hearing from you,

Yours sincerely,

A solid black rectangular box redacting the signature of the sender.A solid black rectangular box redacting the name of the sender.

The Old Coach House,
Gunhouse Lane,
Stroud,
Glos.
GL5 2DB
28th July 2023

Att. Tree Officer
Planning Dept.,
Stroud District Council,
Ebley Mill,
Ebley Wharf,
Stroud,
GL5 4UB

Dear Tree Officer,

TPO – TPO 0587 – GUNHOUSE LANE

As residents, home and business owners of property bordering on the area labelled as ‘small copse’ we wish to object to the proposed TPO for land off Gunhouse Lane.

The trees in this area have been allowed over many years to grow unmaintained. We have lived here for 26 years, during which time no maintenance has been done on these trees. They have become over large encroaching on neighbouring properties, damaging fencing and blocking light.

Among the others, a main concern is the very large tree, described as Lawsons Cypress (*Chamaecyparis Lawsonia*). A tree not native to our country. Reference on map – T1 – tree in dotted black line. Please find included photos of this tree.

We have raised concerns regarding this tree with the landowner many times, only to be ignored.

The tree is unmaintained, overgrown and full of ivy. It has many boughs that are dangerously hanging off and the tree itself is progressively leaning towards neighbouring properties. The inside of the tree is already looking dead. This is obviously a concern as this path is regularly used by local residents and school children. We feel this is a legitimate risk to property and

potentially life. Due to this we feel this tree should definitely not be included in the TPO, as this tree is already dangerous. By including this in a group TPO that includes many trees could render SDC negligent if this were to fall. As property owners next to this tree we are always fearing it falling every time we experience high winds or gales.

The 6 lime trees, reference on map G1 and G2 , with a broken black line. These trees again have had no maintenance for at least 26 years. They are very overgrown and are pushing the very old dry stone wall into Thrupp Lane. There is not a pavement on Thrupp Lane and many families and children use this route to the local school. Please also find included photographs of the trees and the wall.

We trust that SDC and Thrupp Parish Council are aware that a recent survey has taken place on the trees in this area, prior to this TPO application. We feel it a shame that the original applicant, who doesn't live bordering this area, didn't talk to the locals.

I will also be posting this objection.

We look forward to hearing from you,

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.