

COMMITTEE REPORT

APPENDIX 2

Mr N Worrlledge (Lead officer
Planning Dept
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Oxford City Council
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E; orde@orde.info
25 November 2013

Dear Sir,

RE TPO no 1 and 2 at Folly Bridge

May I object to the making of a TPO and correct some factual errors in the report of the LPA officer Mr Leyland.

Re Both TPO's: General remarks

The order is based, as I read it, on "protection in the interests of the public of a) public amenity b) valuable contribution to public views and c) character and appearance of a local vicinity.

The LPA's report acknowledges that the crack willow is not suitable for the area and will need substantial pollarding which will dramatically alter the appearance and character of the tree. It cannot be definition be as it stands then something that contributes to public amenity, or public views, or enhance character and appearance of a local vicinity.

The LPA's and or the report fails to deal with the suggestion of alternative tree planting that was proposed and does not contradict the PSULE of 5-10 years or that the tree is in decline but says the tree is not dying.

It seems given the type of the tree and the reasons for making a TPO that the report is self-contradictory - if it is sincere about visual impact and the criteria as mentioned in para 1 above, as the pollarding will significantly alter this. The report as it stands does not sustain the implementation of a TPO on these trees at all but in effect recommends a consideration of new and more appropriate trees and or landscaping.

Notwithstanding the recommendations of the report that with the TPO being issued should be permission to pollard the trees - this was not done.

There is thus based on the criteria for TPO and the LPA's officer's report no sound basis for a TPO.

Re TPO 1 - north of the towpath

The report is incorrect to claim that this tree is the legal responsibility of myself. I neither own or occupy the land. I am a neighbour concerned about the damage the tree will do to my property and or the life of the public use of the towpath or the river. The advice I have is that in fact the LPA is the de facto owner of the tree and land and thus needs to attend to it.

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This seems a suitable position given the report ie that the LPO can practise what it preaches and maintain and pollard the tree giving itself permission to do so, and to do so at the earliest possible convenience. Clearly it will then be in a better position to assess once having done that what is the correct tree to have there and it will be able to hoist its own petard to the issues of "protection in the interests of the public of a) public amenity b) valuable contribution to public views and c) character and appearance of a local vicinity

Re TPO 2 - at no 6 Folly Bridge. Ie south of the towpath.
For the above reasons already given above I believe this TPO makes no sense at all - and the tree should be replaced with a more suitable one. If any damage occurs I believe it is the council's responsibility as it has prevented any work being done and all I can do is object and or appeal in due course.

Other matters:

The LPA appears to have an inconsistent policy of the Issue of TPO's and public amenity having not granted any for the trees on the north side of folly bridge island between nos 2 and 3 Folly Bridge, and does not seem to have taken into account the planning inspector's decision on trees on no 4 Folly Bridge. It also made no TPO's and did not attempt to preserve any trees in the developments of Hereford College on the Abingdon Road opposite and or on the Salter Bros flats.

The LPA seems to have ignored the expert report of Jenks and or not contradicted it and what appears stange is that this report was not on file, nor in fact has this author been given full and proper access to the correspondence and issues of the determination of the TPO.

If the LPA wishes to protect in the interests of the public it would take swift action to prevent any damage to property or person and - it has not done so. And given that pollarding would dramatically alter the visual impact as stated by the LPA tree officer there is no a) public amenity b) valuable contribution to public views and c) character and appearance of a local vicinity to protect. It is a perverse in the legal sense decision flying in the face of facts. What would be much better is suitable new planting.

We hope therefore the TPO will not be maintained.

Yours sincerely

O Levinson

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Orde Levinson