

Planning and Regulatory Services  
St Aldate's Chambers  
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Oxford  
OX1 1DS

**Turnberry**

Our ref: OCC 20 06 2016 GDST-OHS  
Your ref: 16/00004/ORDER

20<sup>th</sup> June 2016

Dear Sir/Madam,

**Oxford City Council – OHS-Belbroughton Road (No.1) Tree Preservation Order 2016**

On behalf of our client, the Girls' Day School Trust, we wish to object to the above Tree Preservation Order (the Order) imposed on the trees within the Oxford High School Belbroughton Road Campus, adjacent to Charlbury Road (ref: 16/00004/ORDER).

*Background*

The designation of the Order follows a pre-application submission in respect of potential redevelopment options within the school. Due to the very early stages of the proposals (indeed, such redevelopment has yet to receive internal approval), the level of detail available to the Council was relatively limited. Regardless, given the site's proximity to residential properties within the adjacent Conservation Area, the school wished to engage with the planning authority at the earliest stage possible in order to identify any issues and develop mitigation strategies if required.

Notification of the proposed Order was received shortly after these initial pre-application discussions. On behalf of our client, we would like to register their disappointment that a TPO should be served on them without prior notification and after Tree Officers declined to attend a site meeting to discuss potential proposals. This approach is at odds with our Client's values and unhelpful when we are seeking to establish a dialogue with the City Council over the future development of the site.

Turning to the specifics of the Order, the grounds for objection are as follows:

- a) Insufficient information has been gathered by the Local Authority prior to making the area subject to a TPO.
- b) The Council has not provided justification that all trees included within the Order have sufficient amenity value to merit statutory protection.

c) The TPO is an unnecessary duplication of considerations which would be otherwise dealt with through the statutory planning process.

a) *Insufficient Information has been gathered by the Local Authority prior to making the area subject to a TPO*

Paragraph 21 of the Planning Practice Guidance "*Tree Preservation orders and trees in conservation areas*" states that "Before making an Order a local planning authority officer should visit the site of the tree or trees in question and consider whether or not an Order is justified". Although the trees are partly visible from the street, it is necessary to enter the site to fully view the extent of the trees and assess their value and this visit has never taken place.

Therefore, insufficient information has been independently gathered by the Local Authority contrary to Planning Practice Guidance.

b) *The Council has not provided justification that all trees included within the Order have sufficient amenity value to merit statutory protection*

The Order designation is for two groups of trees as opposed to identifying individual specimens which may or may not offer amenity value to the adjacent Conservation Area. We suggest that this may be as a result of a thorough site visit not having been undertaken. Although a small number of the trees within the group may be considered of reasonable quality, many of the trees are assessed as C and U category and therefore do not merit statutory protection. It should be noted that none of the trees are assessed as having A1 or A2 (High) Categories, as set out in the attached Tree Survey which follows the British Standard BS5837.

c) *The TPO is an unnecessary duplication of considerations which would be otherwise dealt with through the statutory planning process.*

The formal notice received by our client dated the 25<sup>th</sup> May 2016 that the Council has made the Order "*To prevent the potential removal of some or all of the trees (which would result in harm to visual public amenity) to pre-empt appropriate consideration of the trees as a material consideration in a forthcoming planning application*".

Trees and visual amenity are a material planning consideration and specifically referenced within the Oxford Local Plan. In particular, all planning decisions must consider policies CP1 *Development Proposals* and NE15 *Loss of Trees* which states that planning permission will not be granted for proposals "*which include the removal of trees, hedgerows and other valuable landscape features that form part of a development site, where this would have a significant adverse impact upon public amenity or ecological interest*". To impose a TPO in order to "pre-

empt appropriate consideration” is therefore unnecessary and unwarranted. The proposed loss of trees as part of a planning application would be suitably dealt with through the determination process, and assessed against policies in the Local Plan.

The proposed Order 16/00004/ORDER at Belbroughton Road has been applied to our client’s site without reference to them, or undertaking a site visit contrary to Planning Practice Guidance. The proposed Order is a duplication of local planning policy regarding trees which would be considered as part of the statutory approvals process, and is therefore not necessary to ensure that the Council meets its objective of sustainable development as required by the National Planning Policy Framework.

Based on the above, we respectfully request the Order is not confirmed.

Yours sincerely,

**Turnberry Planning**

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