

APPLICATION NO: 14/00880/TPO		OFFICER: Miss Lindsey Mulraine	
DATE REGISTERED: 19th May 2014		DATE OF EXPIRY : 14th July 2014	
WARD: College		PARISH:	
APPLICANT:	Mr Tony Overbury		
LOCATION:	Unit 3, Naunton Park Industrial Estate, Churchill Road		
PROPOSAL:	Ash to rear of unit - fell		

REPRESENTATIONS

Number of contributors	4
Number of objections	3
Number of representations	1
Number of supporting	0

33 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 2nd June 2014
Letter attached.

31 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 10th June 2014
We object to the felling of this tree for two reasons:

Firstly, the developer took it upon himself to start clearing the area when a planning proposal was in progress. As the tree is noted in many of the objections to the development of the site, we feel that its removal at this time is wholly inappropriate.

Secondly, we dispute that the tree is 'an overgrown hedgerow tree', as stated in the notice of works, and suggest that it is now an established tree which supports a large amount of wildlife. We have previously stated that we are not against the development of the site but believe that any works must take into account the residential nature of the area.

Thank you for your consideration.

27 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 3rd June 2014
Letter attached.

37 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 4th June 2014

Letter attached.

APPLICATION NO: 14/00975/CONF	OFFICER: Miss Lindsey Mulraine
DATE REGISTERED: 19th May 2014	DATE OF EXPIRY : 16th November 2014
WARD: College	PARISH:
APPLICANT:	Mr Tony Overbury
LOCATION:	Unit 3, Naunton Park Industrial Estate, Churchill Road
PROPOSAL:	Confirmation of Tree Preservation Order 14/00720/TREEPO; Twin-stemmed ash on north west boundary with 37 Asquith Road

37 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 23rd May 2014


Letter attached.

Bushurst Properties Ltd
26 Albert Road
Pittville
Cheltenham
GL52 2QX

Comments: 27th May 2014

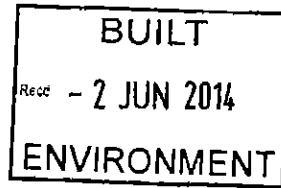
Letter attached.

28th May 2014


33 Asquith Road
Cheltenham
GL53 7EJ

Ref 14/00720/TREEPO

Tracey Crews
Head of Planning
Cheltenham Borough Council



Re: Unit3 Naunton Park Estate, Churchill Road, Tree Preservation Order

Further to the comments and objections that we made relating to the original planning application 14/0056/FUL.

The proposed construction of a 3 unit building is a repositioning on the site and is larger than the excising single unit particular in height and would be directly behind our property. The increased height and close proximity will cut out natural light and greatly spoiling the enjoyment of our home and garden. The consequences of allowing the original application or a modified future application on the same foot print will result in the loss of the ash tree.

We are delight that prompt action has been taken, initially to preserve the large ash tree. We look out on to this mature tree from the back of our house.

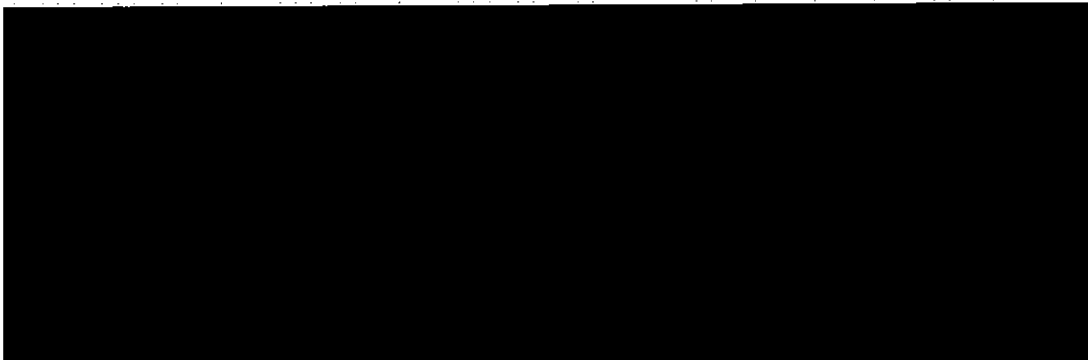
I understand that the ownership of the tree was in some dispute and that was the reason I challenged the tree surgeons when they arrived to take down the tree.


In my original submission to the planning application I mention the possibility of a bat roost in the tree and or in the exciting building that is proposed for demolition. I have noticed over the last week that the bats are still around despite the initial trimming work to the ash tree.

I would ask that the tree is now fully protected and that any building work that may be permitted is not only in keeping with the size and a foot print of the excising dilapidated units on the site, but are constructed in a way that will protect this tree and the wild life that it supports.

I would like to reiterate that we are not against a proportional development just the size and repositioning on the site that is proposed.

Yours sincerely




27 Asquith Road
Cheltenham
Glos
GL53 7EJ

Cheltenham Borough Council
P O Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

Attention of Miss Lindsey Mulraine

28th May 2014

Dear Miss Mulraine

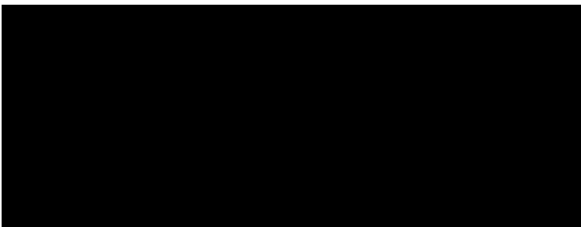
Work proposed: Ash to rear of Unit – Overgrown Hedgerow tree, Unit 3 Naunton Park Industrial, Churchill Road

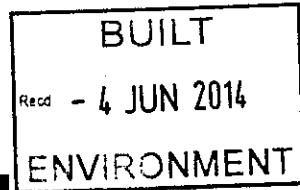
With reference to the above, I tried painfully online to give you this information but without success, hence my need to write to you.

As already mentioned, I am totally happy for improvements to the site in question, but cannot see how a tree with a Preservation Order can even be thought about being cut down to accommodate the above work on this site.

So to repeat; as there is a preservation order on this Ash Tree, it should not be cut down to facilitate any proposed building work. Such work should be around the tree whatever that takes to achieve it.

Yours sincerely





Naunton Bank
37, Asquith Road
Cheltenham
GL537EJ
3rd June, 2014

Dear Tracy Crews,
Your ref. 14/00880/TPO

Work Proposed: Ash to rear of Unit-Overgrown Hedgerow tree, want it clear for building works at Unit 3 Naunton Park Industrial Estate Churchill Road

It is regrettable that, while an application was being examined by you for the construction of three light industrial units (for which comments were being requested) the applicant, Bushurst Properties Ltd. [BPL]) took it upon themselves to start to "remove Ash to Ground" for "building works". This must be of concern for you that such an action took place.

We were on holiday at the time but thanks to the swift action of [redacted] neighbours and of councillors Barnes and Sudbury a TPO was put in place before the tree was further destroyed. This TPO is being challenged by BPL.

The challenge is not valid for three main reasons:

1) The initial application was originally made (your ref. 14/00566/FUL) with no mention of the existence of trees or hedges(para16). By this we assume BPL had none and assumed the said tree belonged to ourselves. It has indeed been cared for by ourselves for many years , being on the hedgerow of Naunton Bank, once Naunton Farm . In this respect it must be noted that our property is named by you as "a building of local interest" because of its age and local interest and as such is worthy of your special concern .

2) Our letter to you of 14th May refers to our nurturing of the tree. "Decency " would require that BPL discuss with us all, as obviously concerned neighbours, before their action to cut down the Ash. This should have been done irrespective of its ownership or even if they had not read the constructive criticism of ourselves and of our neighbours of the plans. As it is, BPL have managed to push part our hedge into our property making it difficult for us to put our car in the garage thereby making the tree to be less obviously on the hedgerow, the positioning of which being our main claim for its ownership.

3) But irrespective of ownership The Tree Preservation Order is given on the grounds of "high amenity value with its immediate location" and this is well justified. To date we know that the neighbourhood of Asquith Road, Mead Road and those Allotment holders who see the tree as part of their tenancies are making their views known in separate submission.

With such support the Tree Preservation Order must remain in force and building works must not be allowed to further destroy it.

We welcome a visit from any of your officers if you wish to pursue any of the above points and look forward to hearing from you .

[redacted]
Tracy Crews, Head of Planning, CBC , PO Box 12, Municipal Offices, Cheltenham

5/6/2014

Planning Ref for Cheltenham Borough Council : 14/00880/TPO

Proposal to cut down an Ash Tree for building works at Unit 3 Naunton Park Industrial Estate, Churchill Road

A request has been made by Bushurst Properties Ltd., Naunton Park Industrial Estate (BPL) to cut down the Ash Tree on its SW side. This tree currently has a Tree Preservation Order because of its "social amenity value."

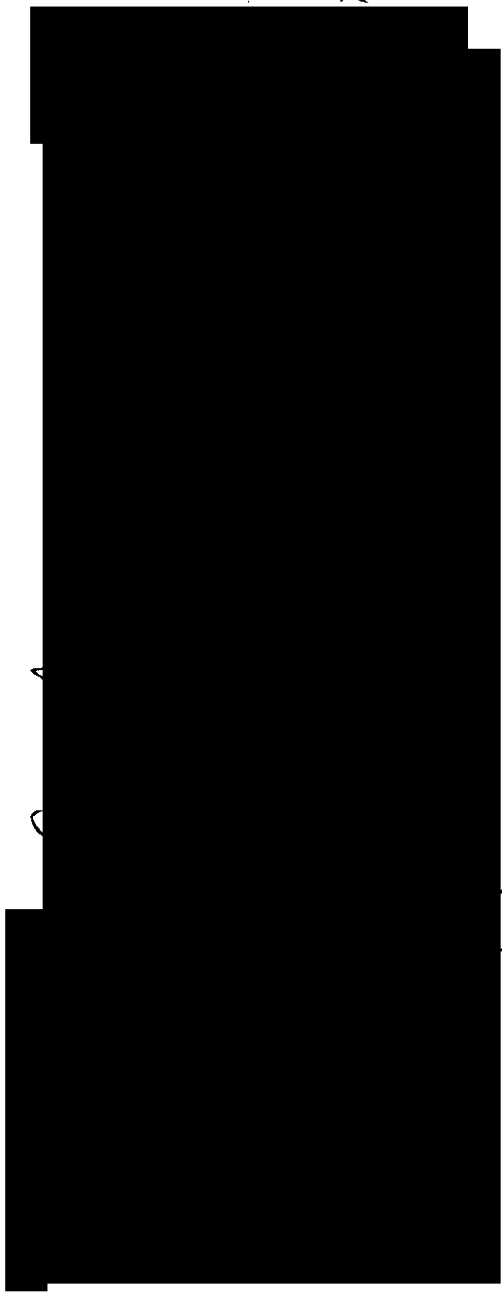
BPL wish to cut it down for their "building works" (their current proposals being challenged by residents of Asquith Road at the Cheltenham Borough Planning Office)

We the undersigned see no justifiable reason for the tree to be cut down and wish the Tree Preservation Order to remain in place.

BUILT
Recd - 5 JUN 2014
ENVIRONMENT

Name

Address



21 Asquith Road

21 ASQUISH ROAD

19 Asquith Rd.

19 ASQUITH RS.

55 MEAD RD.

55 mead Rd.

55 Mead RD.

51 Mead Rd.

28 Mead Road & allotment holder

28 Mead Road
- allotment holder.

33 Asquith Rd.

33 ASQUITH Rd

2/6/2014

Proposal to cut down an Ash Tree for building works at Unit 3 Naunton Park Industrial Estate, Churchill Road

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Name

Address

39 ASQUITH ROAD.
✓

✓
35 ASQUITH ROAD.

17, Gratton Rd (Allotment holder
at Asquith Rd)

15 ASQUITH RD.

15 ASQUITH RD.

32 SWILYK RD. (Plot 116A) } Allotment
at Asquith Rd.

34, Evelyn Rd. (Plot 76c)

5 LARCH CLOSE (Plot 64)

120^a Asquith Road Allotments. Asquith Rd }
7, Whitecross Square (Allotments)

9 01452531405. Allotments.

27 Asquith Rd.

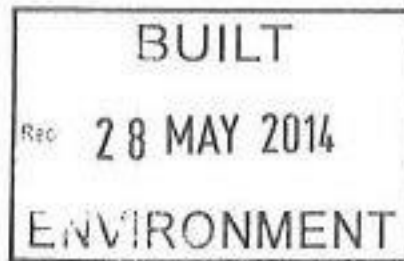
31 Asquith Road

5, Willow Close, Asquith Rd Allot
(67B) next

3, Whitecross Square Warden,
Asquith Rd. Allotments

9. Mead Rd e Asquith Rd
Allotments.

2/6/2014



Your ref: 14/OO720/TREEPO

For the attention of Miss.Lindsey Mulraine
Cheltenham Borough Council
Built Environment
PO Box 12 Municipal Offices
Promenade,
Cheltenham GL50 1PP

27th May, 2014

Dear Miss.Mulraine,

Re: Unit 3 Naunton Park Industrial Estate, Churchill Rd,Leckhampton,Chelt.

I write as the owner of the above land where you have put a preservation order on an Ash tree.

I understand the owner of an adjoining property contacted the council to say it was on his land. Whoever it was has not been in touch with me at all. My solicitor has confirmed to the council that this is certainly not the case – it is on my land.

I ask if this order can be removed for the following reasons:-

A. It is not in a Conservation Area

B. The roots of the tree are undermining the foundations and the floor of my existing building, causing severe cracks and other damage. This is one of the reasons why my tenant moved out, after having been there for many years. Should you wish to meet me on site I can show you the evidence.

C. An experienced landscape gardener Mr.Harvey Wilde informed me that it is showing signs of **Ashdieback** disease which would necessitate removal of the tree. I enclose copy of his letter to me dated 26th April, 2014.

0

"Hawksworth", 26 Albert Road, Pittville,
Cheltenham, Glos. GL52 2QX
(Registered Office)

Tel: 01242 513331 Fax: 01242 222778
e-mail: bushurstprops@hotmail.co.uk

Registered in England No. 1092470 VAT No. 535 7656 17
Directors: A.Overbury. S. Overbury.

D. I would like to demolish the existing building (which I and the neighbours consider it as an eyesore!) and build a new one in its place – unless this tree can be removed I will be unable to do this. I am a believer in retaining as many trees as possible as I believe in conservation, and if you agree for this tree to be removed I will be quite happy to plant another one or two further away from my building. I own the adjoining land to the rear of Unit 4 so there would be plenty of space without causing any problems to any other buildings.

I look forward to hearing from – should you wish to contact me my land line is below and my mobile is 07970173070.

Yours sincerely,

Mr.A.R.E. Overbury

Harvey Wild Landscapes,

332 Old Bath Road,

Cheltenham, Gloucestershire,

GL53 9AL.

V.A.T.No 667 1646 09

Tel & Fax: 01242 252809

Email: hwildgardens@hotmail.co.uk

29th April 2014

Attention of Mr Tony Overbury,

Dear Tony,

Please find enclosed invoice for work completed at Bayshill Road, slightly less than usual.

I have also been to Churchhill House for vehicle repairs and have noticed the large Ash in your grounds appears to be showing signs of Ash die back. Also the roots are substantial and are close to your building this appears to be causing a crack in the wall.

I will have a chat with you when we meet up, but would recommend that you seek professional advice with reference to management of the tree.

Please feel free to give me a call on my mobile if you need too, before we catch up in next couple of weeks.

Kind regards,

Harvey


BUILT
Reor. 29 MAY 2014
ENVIRONMENT



CHELTENHAM

BOROUGH COUNCIL

Tree Preservation Order 2014
Unit 3, Naunton Park Industrial Estate, Churchill Road
Tree Preservation Order 2014

I confirm that I  have received a copy of the above Tree Preservation Order, together with a notice and a copy of Regulation 6 of The Town and Country Planning (Tree Preservation)(England) Regulations 2012 and the leaflet on protected trees.

Address: Naunton Bank,
37, Asquith Road
Cheltenham,
Glos. GL53 7EJ

Interest in the TPO site (e.g. Owner, prospective purchaser, adjoining neighbour or other - please state)

We have looked after the tree for over 30 years considering ourselves the owner and considering it a beautiful and possible rare tree (Ash) and it is in a hedge row (border)

Are there any other parties who have an interest in this property? (e.g. Other owners, tenants, leaseholders) "

Tom Overbury wishes to remove Ash to ground - overgrown Hedge row tree, want it clear for building works " His planning application (with council) is currently submitted and disputed Please can you supply their name(s) and address(es). Yourselves and neighbours

Bushurst Properties Ltd,
Unit 3, Naunton Park Industrial Estate,
Churchill Road
Cheltenham GL53 7EH

Date: 23rd May 2014



(Please return to the Tree Section at Cheltenham Borough Council, P.O. Box 12
Municipal Offices, Promenade, Cheltenham, GL50 1PP)