

**WEST OXFORDSHIRE DISTRICT COUNCIL**  
**LOWLANDS AREA PLANNING SUB-COMMITTEE – 26 MAY 2015**

**TREE PRESERVATION ORDER NO.1/2015**  
**– LAND AT FRUITLANDS, EYNSHAM (14I.289/I)**

**APPLICATION TO FELL TREES LOCATED WITHIN AREA A1**

**REPORT OF THE HEAD OF PLANNING**

**(Contact: Nick Dalby, Tel: (01993) 861662)**

(The decision on this matter will be a resolution)

**1. PURPOSE**

To consider an application to fell all trees within the area affected by the TPO except those marked for retention on a plan accompanying the application (D14-2441).

**2. RECOMMENDATION**

That the application be refused.

**3. BACKGROUND**

- 3.1. At the meeting of the Lowlands Area Planning Sub-Committee on 19 January 2015 planning permission was refused for residential development on land adjacent to Fruitlands, Eynsham (14/I009/P/OP). The reason for refusal included the loss of trees and the Committee gave instructions to include all trees at the site in a tree preservation order.
- 3.2. A provisional area tree preservation was made on 20 January 2015.
- 3.3. Objections to the making of the Order have been received from the landowner and letters of support have been submitted from local residents.
- 3.4. The provisional Order takes effect for a period of six months and during this period the Council must decide whether to confirm it, amend it in some way, or allow it to lapse.
- 3.5. Members will be considering whether or not to confirm the Order at this meeting and this application to fell trees will need to be considered in light of the resolution made in the previous agenda item.
- 3.6. The application is to remove all trees at the site apart from around twenty four which are shown to be retained on a drawing accompanying the application (D14-2441). Those to be retained roughly coincide with those to be retained in the housing layout submitted with the planning application referred to at 3.1 above.
- 3.7. The reason for the application is that the landowner believes the area in question has future potential for development and as such wishes to remove trees of lower quality from the area TPO.

#### **4. PUBLIC CONSULTATION**

29 letters of objection to the application have been received, including one from Eynsham Parish Council, with no letters of support. The reasons for objecting to the application can be summarised as follows and the letters are available on file.

- Local environmental asset.
- Wildlife value.
- Of local amenity and recreational value.
- A natural barrier along the edge of the village.
- Area contains remnants of the last remaining orchard in Eynsham – heritage value.
- Its importance as green space will increase if more development takes place to the west of Eynsham.
- Removing the trees would affect the landscape and natural environment of the area.
- The application is premature pending the outcome of the planning appeal.
- Reduces noise from the A40.

#### **5. PLANNING ASSESSMENT**

- 5.1. The reason given by the applicant to justify removing the trees is that the landowner believes the area has the potential for development and as such wishes to remove trees of lower quality.
- 5.2. However, the Council recently refused planning permission for residential development at the site and included the loss of trees and ecological value in the reason for refusal.
- 5.3. The effect of the proposals would be to remove the majority of trees and the habitat of which they form part. This would have a detrimental effect on public amenity. There would be some loss of visual amenity from some public vantage points but more importantly there would be a complete loss of priority habitats with no replacement or compensation for that loss. Recent ecological survey work has concluded that most of the site falls within a priority habitat classified as Lowland Mixed Deciduous Woodland. There is also a small area classified as Traditional Orchard. The loss of such habitats would be contrary to both local and national planning policies.
- 5.4. It is for these reasons that it is recommended that the application be refused.

#### **6. ALTERNATIVES/OPTIONS**

The Council could decide to grant permission for the trees included in the application to be felled.

#### **7. FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

## **8. REASONS**

To protect and enhance the environment in accordance with the Council Plan.

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Background Papers:  
TPO No.1/2015.