



For official use only
Date Received
Appeal Ref

TREE PRESERVATION ORDER (TPO) APPEAL FORM
The Town and Country Planning (Tree Preservation) (England)
Regulations 2012 – SI No. 605, Regulation 19

Before completing this form please read "Guide for Appellants (Tree Preservation Orders – consents for works)"

WARNING Your appeal must reach the Planning Inspectorate within 28 days from receipt of the decision against which you are appealing.

Appeals received after the deadline will only be accepted in exceptional circumstances.

If you need this document in large print, on audio tape, in another language or in Braille, please call 0303 444 5570.

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT

Name [REDACTED]

Address [REDACTED]

Postcode GL4 3DA

Daytime Tel [REDACTED]

Email [REDACTED]

I prefer to be contacted by: Email

B. AGENT: If acting on behalf of the appellant, you will be our main contact on all matters relating to this appeal and we will direct all queries and correspondence to you. It will be your responsibility to keep the appellant informed.

Name

Organisation

Address

Postcode

Daytime Tel

Email

I prefer to be contacted by: Email Post

C. APPEAL SITE

Address where the appeal tree is (trees are) located: 15 Barnwood Avenue

Do you own the site: Yes

If no

- 1) give details of your interest in the site (eg tenant, neighbour):

- 2) give the name and address (if different from the above) of the owner and/or occupier of the site. We will need to contact them to make arrangements for our Inspector to gain access to the site:

D. COUNCIL/DECISION

Council: Gloucester

Council Contact Name: [REDACTED]

Telephone Number: [REDACTED]

Full title of tree preservation order (if known): TPO 156

Date of Council's decision (if applicable): 03 November 2020

E. APPEAL

Please tick only the relevant boxes.

I am appealing against:

The Council's refusal of consent

F. GROUNDS OF APPEAL

I have broken down the Council's reasons for refusal which I will address in turn:

The tree is of significant public amenity value: The tree is a non-native species imported to the UK from Lebanon to adorn large open parkland landscapes in rural England circa 1638. This particular tree is not a great example, as its limbs have been constrained growing between houses, where it has not been able to develop its full breadth of canopy. There is no amenity value from this tree to those who own property under the shadow of the tree and may be subject to any branch failure in adverse weather.

it has not outgrown its location: This is a subjective statement as best indicated by the inability of the arboriculturists to agree. I would suggest that as the tree has been unable to maintain its natural shape in growth due to the confines of the surrounding building that would indicate that the tree is too big for its location.

large trees spaced amongst houses in the area are a characteristic of the vicinity: This is generally a true statement and I have several other mature trees in or adjacent to my property. I am not aware of any trees of this size in the area which are growing in such confined surroundings. However, to date, none of the other trees in my garden have shed large branches during poor weather. Only this tree drops branches and unfortunately it is above a regularly traffic area. If the tree was located in another part of the garden it would not pose such a health and safety risk.

The tree is presently healthy with no significant defects: Again, this statement is correct, but it ignores the natural defence mechanism present in this type of tree, to shed branches when under duress. Because this is an evergreen it retains a large surface area throughout the year which places additional pressure on the tree branches during winter. This would not be an issue normally if the tree was in an appropriate location.

it has been inspected by qualified arboriculturists (independent and city council's), who recommend pruning works to lessen the likelihood of branch failure, not tree removal: As stated in my original application and proven in my evidence to the committee. Pruning does not remove the risk of branch failure. The theory is sound but in practice it has not proved an adequate defence, which I would content is reinforced by the fatality in Kew Gardens in 2012. None of the qualified experts who have now inspected this tree on three occasions over the last four years have been able to accurately predict which branches are likely to break. I have fully maintained this tree and live branches continue to break off.

Finally, I requested that if my application was refused that the Council acknowledge that they have a responsibility should and damage be caused by the tree in the future. This responsibility was not acknowledged. To deny my request and then fail to accept any responsibility for any future failure of the tree either represents a tacit agreement that the risk is high or a complete lack of moral fibre in supporting their representative. On either account I seek that the appeal addresses my original request in determining risk liability.

F. GROUNDS OF APPEAL (cont)

Please continue at section K or on a separate sheet if necessary

G. PROCEDURE – (See Section 9 of the Guide for Appellants before making your choice)

Appeals dealt with by the Fast Track procedure are usually decided more quickly than those which proceed through a hearing or a more formal local inquiry and because of this we recommend the Fast Track procedure.

However, if you or the Council ask to be heard by the Inspector we will organise a hearing which will take the form of a round table discussion. In very exceptional cases, where complex legal matters are at issue, a substantial number of third parties are involved and/or formal cross examination is warranted, we may decide to hold an inquiry.

Please tick one box only.

I wish my appeal to be decided through the Fast Track procedure

I wish to appear and be heard by an Inspector X

H. SITE VISIT – Please note: no discussion about the merits of the case will take place during the site visit.

Are you willing for an Inspector to enter the site and conduct the visit unaccompanied?

Yes

If Yes, please give details below of anything the Inspector needs to know with regard to how to access the site:

The tree can be viewed from the road but if access is required the gate can be left open by prior arrangement.

If No, please outline below why this is not possible, why you need to be there or why you need to be represented during the Inspector's visit:

Are there any Health and Safety concerns that the Inspector will need to be aware of prior to the site visit?

Yes

If Yes, please detail the concerns below: I would urge that any inspection is not conducted during any period of poor weather as branches may fall from the tree and I cannot guarantee safety on the site.

I. SUPPORTING DOCUMENTS

In support of your appeal form please send a copy of your application for consent and a copy of the Council's decision (where one has been issued).

Please tick the boxes to show which documents you are enclosing and list any other documents you are submitting in the space below. If you cannot send a copy of the tree preservation order – we will ask the Council to send a copy together with the relevant background papers.

I enclose:

1. A copy of my application for consent 1

If you do not have a copy of your application please state the council's application reference number here (it should be stated on your decision if one was made):

2. A copy of the Council's decision (if one was issued) 2

J. CONFIRMATION

DECLARATION

1. I understand that:

- a) the Planning Inspectorate may use the information I have given for official purposes in connection with the processing of my appeal.
- b) details from this form, including my name, the site description and reasons for making this appeal may appear on the Appeals Casework Portal.

By signing this form I am agreeing to the above use of the information I have provided.

2. I have completed all sections of the appeal form and confirm that the details are correct to the best of my knowledge.

3. I have sent a copy of this appeal form and enclosures to the Council.

Signature

[REDACTED]

Date 09 November 2020

Name (in capitals)

[REDACTED]

On behalf of (if applicable)

For more information about how we process your personal information please see "A Guide for Appellants (Tree Preservation Orders- consents for works)."

Please send the completed form and supporting documents to:

Trees and Hedges
Room 3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

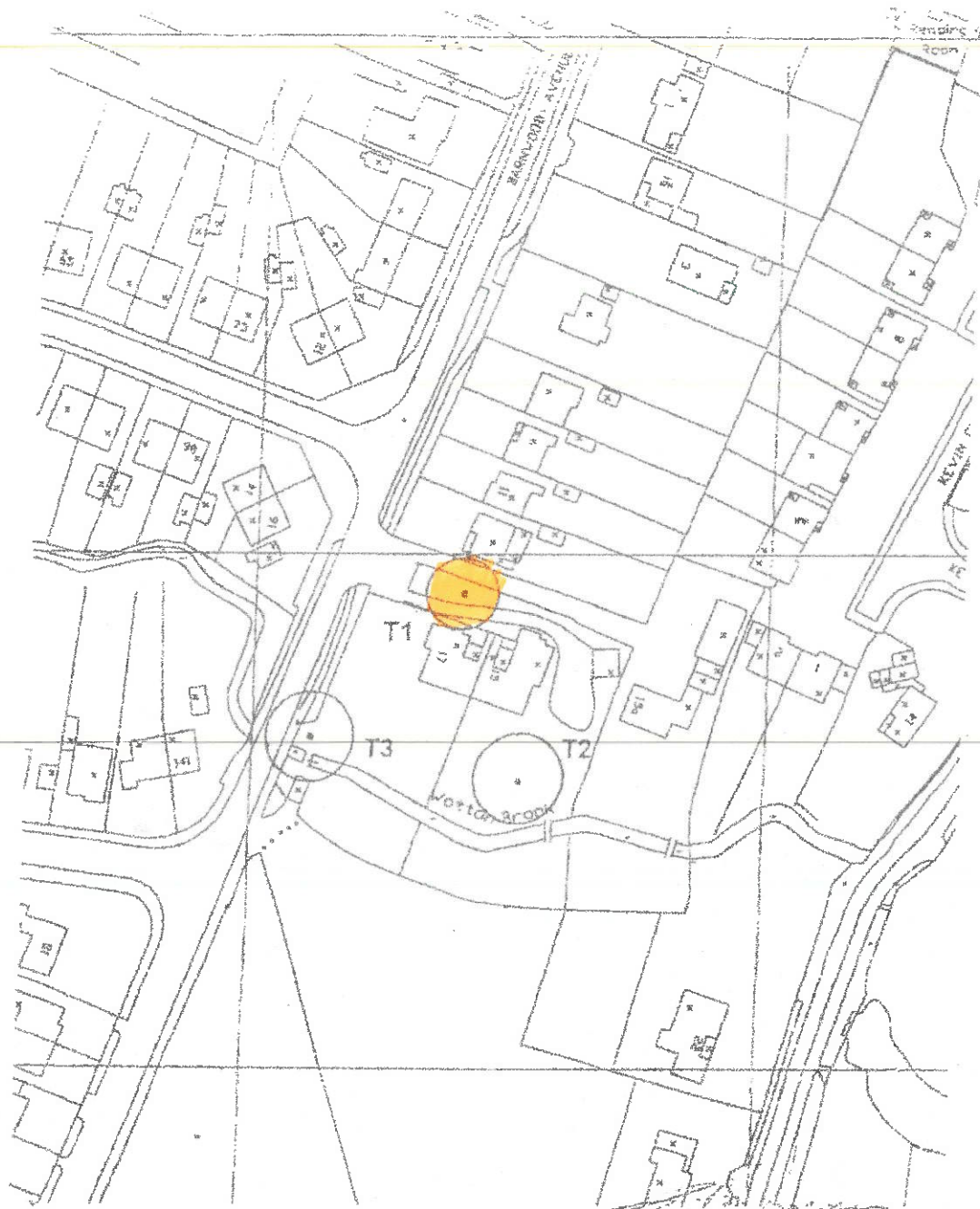
Telephone: 0303 444 5570

or e-mail it to: treeandhedgappeals@planninginspectorate.gov.uk

What happens next:

1. You must send a copy of this completed form to the Council including copies of any supporting documents you send to us.
2. When we receive your appeal form we will check it against background documents supplied by the Council before telling you whether your appeal is valid.
3. At the end of the appeal process we will send you the Inspector's decision, including the reasoning in writing.

K. SUPPLEMENTARY SHEET



HEAD OF LEGAL SERVICES. SEAL NO. 12862

Tree Preservation Order No. 156, 2000
15/17 Barnwood Avenue, Barnwood, Gloucester.
Grid Reference: SO859180

SCALE 1:500

NORTH ↑



Application for tree works: works to trees subject to a tree preservation order (TPO)
and/or notification of proposed works to trees in a conservation area.

Town and Country Planning Act 1990

Publication of planning applications on planning authority websites

Please note that with the exception of applicant contact details, the information provided on this application form and its supporting documents may be published on the authority's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the authority's website, please contact the authority's planning department.

Please complete using block capitals and black ink.

You must use this form if you are applying for work to trees protected by a tree preservation order (TPO). (You may also use it to give notice of works to trees in a conservation area).

It is important that you read the accompanying guidance notes before filling in the form. Without the correct information, your application notice cannot proceed.

1. Applicant Name and Address

Title:

Last name:

Company (optional):

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

2. Agent Name and Address

Title: First name:

Last name:

Company (optional):

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

3. Trees Location

If all trees stand at the address shown in Question 1, go to Question 4. Otherwise, please provide the full address/location of the site where the tree(s) stand (including full postcode where available)

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (if known):

If the location is unclear or there is not a full postal address, either describe as clearly as possible where it is (for example, 'Land to the rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road') or provide an Ordnance Survey grid reference:

Description:

4. Trees Ownership

Is the applicant the owner of the tree(s): Yes No
If 'No' please provide the address of the owner (if known and if different from the trees location)

Title: First name:

Last name:

Company (optional):

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

5. What Are You Applying For?

Are you seeking consent for works to tree(s) subject to a TPO? Yes No

Are you wishing to carry out works to tree(s) in a conservation area? Yes No

6. Tree Preservation Order Details

If you know which TPO protects the tree(s), enter its title or number below.

NUMBER 156

7. Identification Of Tree(s) And Description Of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out. Continue on a separate sheet if necessary. You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work. Where trees are protected by a TPO, please number them as shown in the First Schedule to the TPO where this is available. Use the same numbers on your sketch plan (see guidance notes).

Please provide the following information below: tree species (and the number used on the sketch plan) and description of works. Where trees are protected by a TPO you must also provide reasons for the work and, where trees are being felled, please give your proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

E.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with 1 standard ash in the same place.

CEOAR (T1) - FELL BECAUSE THE TREE HAS OUTGROWN ITS CONSTRAINED LOCATION, OVERHANGS TWO HOUSES, AND TWO DRIVES, AND SHOWS HEALTHY BRANCHES WHICH ARE LARGE ENOUGH TO POSE A SIGNIFICANT SAFETY THREAT TO PERSONS UNDERNEATH. AS DEMONSTRATED THIS IS NOT A SUITABLE SITE FOR A REPLACEMENT TREE. INSPECTION REPORT ENCLOSED.

7. Identification Of Tree(s) And Description Of Works continued ...

8. Trees - Additional Information

Additional information may be attached to electronic communications or provided separately in paper format.

For all trees

A sketch plan clearly showing the position of trees listed in Question 7 must be provided when applying for works to trees covered by a TPO. A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes). It would also be helpful if you provided details of any advice given on site by an LPA officer.

For works to trees covered by a TPO

Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application must be accompanied by the necessary evidence to support your proposals. (See guidance notes for further details)

1. **Condition of the tree(s)** - e.g. it is diseased or you have fears that it might break or fall: Yes No
If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.
2. **Alleged damage to property** - e.g. subsidence or damage to drains or drives. Yes No
If YES, you are required to provide for:

Subsidence

A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.

Other structural damage (e.g. drains, walls and hard surfaces)

Written technical evidence from an appropriate expert, including description of damage and possible solutions.

Documents and plans (for any tree)

Are you providing separate information (e.g. an additional schedule of work for Question 7)? Yes No

If YES, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application. If they are being provided separately from this form, please detail how they are being submitted.

ENCLOSURE INSPECTION REPORT BY BJ UNWIN.

9. Application For Tree Works - Checklist

Only one copy of the application form and additional information (Question 8) is required. Please use the guidance and this checklist to make sure that this form has been completed correctly and that all relevant information is submitted. Please note that failure to supply precise and detailed information may result in your application being rejected or delayed. You do not need to fill out this section, but it may help you to submit a valid form.

Sketch Plan

- A sketch plan showing the location of all trees (see Question 8)

For all trees

(see Question 7)

- Clear identification of the trees concerned
- A full and clear specification of the works to be carried out

For works to trees protected by a TPO

(see Question 8)

Have you:

- stated reasons for the proposed works?
- provided evidence in support of the stated reasons? in particular:
 - if your reasons relate to the condition of the tree(s) - written evidence from an appropriate expert
 - if you are alleging subsidence damage - a report by an appropriate engineer or surveyor and one from an arboriculturist.
 - in respect of other structural damage - written technical evidence
- included all other information listed in Question 8?

10. Declaration - Trees

I/we hereby apply for consent/give notice for tree work as described in this form and the accompanying plans and additional information.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

(This date must not be before the date of sending or hand-delivery of the form)

11. Applicant Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Fax number (optional):

Email address (optional):

12. Agent Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

Electronic communication - If you submit this form by fax or e-mail the LPA may communicate with you in the same manner.

(Please see guidance notes)



15 Barnwood Avenue
Gloucester
GL4 3DA

03 November 2020

Submission to Gloucester council planning committee

Mr Chairman, I thank you and the committee for this chance to speak in support of my application to fell a cedar tree which is subject to a TPO. The TPO reference is TPO number 156, the tree is annotated as T1 on the order. While I am addressing the committee as the owner of the tree this application is supported by all of the property owners immediately surrounding this tree; 13, 15A and 17 Barnwood Avenue

The tree is in good condition annually maintained and there is no sign of disease. The tree is located within 8m of occupied houses and stands above the sole access to two properties. When originally planted those responsible were probably unaware of the eventual height of the tree or the potential danger posed by this type of tree from falling branches.

In the last four years the tree has lost perfectly healthy branches either due to high winds or snow, as the tree is regularly inspected no dead wood has fallen during my tenure. It is recognised that cedar trees are prone to branches snapping, despite being healthy, in adverse conditions. This creates a significant hazard should anyone be beneath the tree when this occurs. As the tree has in effect outgrown the space it occupies it has, in my view become a potential risk to life. The branches are heavy and as the lowest branches are eight meters from the ground, they have significant velocity when they fall. Larger branches that have broken off recently have caused damage for example breaking a fence panel. Had a similar branch landed on an individual or an occupied car it may have resulted in serious injury. This is not without precedent as a woman was killed in Kew Gardens in 2012 as a result of a branch falling from a cedar tree. In the Kew Garden case, the tree was regularly inspected and maintained by experts and yet, they were unable to predict this fatal failure. I have submitted, as supporting evidence some pictures of healthy branches that have fallen from the tree since I moved into the property in 2016. I also submitted a report on the tree completed in June 2020 by Jim Unwin a qualified arboricultural consultant. The report identifies the health and safety risk and recommends the removal of the longer limbs to reduce the potential threat. Of note only one of the branches recommended for pruning in the report fell during the last period of high wind, seven others however snapped and fell. The committee will note that I have pruned the longer limbs of the tree previously in 2017, despite that pre-emptive work the pictures attached to my application show the branches (stacked next to the car) that fell the following month some of which I had requested to prune but I was informed that it would impact the natural look of the tree.

I contend pruning branches may reduce but will not eradicate the risk and for me any risk to life is unacceptable. I am unable mitigate the risk by controlling access to the areas potentially affected by dropping branches as the tree is a threat to neighbouring properties. When the TPO was implemented (2000) the Kew garden incident had not occurred, however, to ignore this event now, could be deemed reckless and negligent in assessing risk to life. I think Mr Hobb's has provided the committee with a good and balance theoretical summary of the situation for which he should be commended. However, I would like to address two areas of his report. Firstly, he advises all trees lose branches during adverse weather, however of the four mature trees on my property, only the cedar has lost branches of a sufficient size to cause injury over the last four years. Secondly, I draw your attention to the last line of Mr Hobb's report which states, "The tree is fully mature and has been for a number of years, the current owners would have been aware of the size of the tree and its location when they purchased the property." This is a true statement, but it is only through living with the tree for four years, have we come to understand the unpredictable threat posed by this particular type of tree. With that practical learned understanding comes the realisation that to not take action would be indeed negligent.

As I have a duty of care as the owner of the tree, I am formally requesting the consent of the committee to remove the tree, as set out in the terms of the TPO. If this request is denied, I request that the committee acknowledge liability on behalf of the council for any injury or damage caused by the tree in the future, as I believe I will have discharged my legal responsibility as the owner through this request.

Yours sincerely

(original signed)

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

B. J. UNWIN FORESTRY CONSULTANCY Ltd.

BSFor, MICFor, RCarborA, FArborA, CEnv.

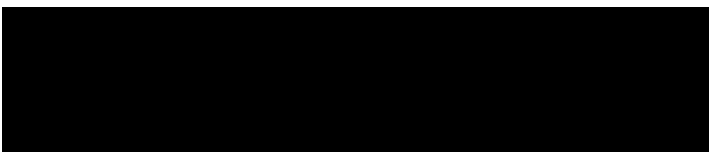
Chartered Forester
Arboricultural Association Registered Consultant
Fellow of the Arboricultural Association
Chartered Environmentalist.

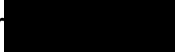
 Institute of Chartered Foresters
Registered Consultant

 AA Registered CONSULTANT
trees.org.uk

 MEMBER
ISA

Ref: 22nd June 2020 - BJU/mmi





Dear 

Inspection of Cedar at No.15 Barnwood Avenue.

1. Instruction.

- 1.1 You wish to establish the health & safety of a large cedar on your drive.
- 1.2 Therefore, you have asked B.J. Unwin Forestry Consultancy to inspect the tree, and advise, subject to quote. You have had previous work done, permitted via the City Council.

2. Inspection.

- 2.1 I visited the site on the 9th June 2020, and made an accompanied site inspection with you. The inspection included only the cedar.
- 2.2 The survey was from ground level. It involved visual observation, and sounding with a hammer; and chisel and long steel rod if required (Visual Tree Assessment: Mattheck and Breloer 1994 and Lonsdale 1999). We have not checked, but we understand the cedar is protected by a Gloucester City Council TPO.
- 2.3 The survey was by , who has >40 years' experience working with trees, and checked by , (professional CV attached).

Notes:

Copyright: This report is copyright of BJUFC, and licensed only to the client, site and purpose(s) named above. It may not be assigned without the author's permission. Under GDPR we forbid any personal details be used for marketing or colscalling.

Limitation of Report: The statements made in this Report do not take account of the effects of extremes of climate, vandalism or accident, whether physical, chemical or fire. BJUFC cannot therefore accept any liability in connection with these factors, nor where prescribed work is not carried out in a correct and professional manner in accordance with current good practice. The authority of this Report ceases at any stated time limit within it, or if none stated after two years from the date of the survey or when any site conditions change, or pruning or other works unspecified in the Report are carried out to, or affecting, the Subject Tree(s), whichever is the sooner.

**Tree and Woodland Consultancy
Woodland Valuation and Timber Sales
Landscape Management**

Visit our website: www.bjunwin.co.uk for more information



3. The Site.

3.1 The site inspected is two parallel asphalt drives to No 15 and No.15A, with the house of No.13 immediately to the north, and No.17 immediately to the south.

3.2 Geology from BGS website for the site is:-

Superficial deposits: No superficial deposits recorded

Bedrock geology: Charmouth Mudstone Formation - Mudstone. Sedimentary bedrock formed between 199.3 and 182.7 million years ago during the Jurassic period.

Only 25m north are superficial deposits: Cheltenham Sand and Gravel - Sand and gravel. Sedimentary superficial deposit formed between 2.588 million years ago and the present during the Quaternary period.

Subsoil under the tree is likely to be fine-textured, and the underlying silty beds are likely to have volume-change potential.

3.3 There is no suggestion of subsidence in the houses, so we need consider it no further. Drive surfaces are being lifted, see below.

3.4 2018 Google Earth below, shows the cedar's constrained location.



4. Trees.

- 4.1 The subject tree is a fully-mature deodar cedar, 7m from No.17, 8m from No.13, and overhanging two drives and gardens. Photo below.



- 4.2 DBH is 99cm, height is about 20m, and radial crown spread is 8m north to No.13, 8.7m east, 9m south over No.17, and 8m west.
- 4.3 The crown is broad and healthy. But the tree suffers from regular breakages of branches and limbs: typical of cedars, but here worsened by long limbs. Photo below shows a typical large-branch breakage.



- 4.4 Photo below shows typical smaller branches, which have fallen off and damaged parked vehicles.



- 4.5 Both drives have been slightly lifted by cedar roots, example below.



4.6 Discussion:-

- 4.6.1 The cedar is a large tree providing local amenity value. However, it has outgrown its constrained location, overhangs two houses, and two drives, and sheds branches which are large enough to pose a significant safety threat to persons underneath.
- 4.6.2 Although the tree is growing in a small elevated island surrounded by asphalt, there is limited evidence of a significant windthrow risk.
- 4.6.3 Previous removal of dead wood is not sufficient to remove the threat of future branch failure, because the architecture of the tree includes numerous long, end-heavy, limbs and branches.
- 4.6.4 As well as any objective threat, the tree poses a significant over-bearing impact on three properties underneath.

4.7 Recommendation:-

- 4.7.1 The cedar has sufficient inner foliage that branch tips could be pruned to significantly reduce the risk of branch breakage.
- 4.7.2 We would recommend about 1.5m off the outer canopy all around the tree, reducing to nothing off the upper tip. This would be best done with external access via a MEWP, with a good groundsman on the other side of the road guiding cut locations. Indicative post-pruning shape below.
- 4.7.3 An independent spire developing on the NW side needs reducing by 2-3m off height, as does one long limb to west over the drive.
- 4.7.4 At the same time all dead > 25mm diameter should be pruned out.



4.7 Treework informatives, included for general information:-

4.7.1 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.

4.7.2 Permission

Trees may be protected by a TPO, and could lie within a Conservation Area.

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.

4.7.3 Quality of Tree Work

All off-ground tree work should be done by 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.)

This report may be submitted to local authority for permission, and to a contractor for quote.

Please contact us if you have any queries, or require further assistance.

Yours sincerely,



For: **B J Unwin Forestry Consultancy.**

References:

"*The Body Language of Trees*". Claus Mattheck and Helge Breloer. HMSO 1994.
"*Principles of Tree Hazard Assessment and Management*". David Lonsdale. HMSO 1999.
BS 3998: 2010 "*British Standard Recommendations for Treework*".

Attached:

- **BJUFC professional CV.**

- B J UNWIN FORESTRY CONSULTANCY -

Head office: **Parsonage Farm, Longdon, Tewkesbury, Gloucestershire. GL20 6BD.**

Tel / Fax: 01684 833538. Home Tel: 01684 833795. Mob: 07860376527. E-mail: Jim@bjunwin.co.uk

██████████s: - Haley Ridge, Highcliffe, **Nr. Wadebridge, Cornwall**, PL27 6TN.

-105 Charfield Court, 2 Shirland Road, **London**, W9 2JR.

Associate office: - 1 Market Place Mews, **Henley-on-Thames, Oxfordshire**, RG9 2AH.

██████████ **ScFor, MICFor, FArborA, RCarborA, CEnv.**

**Chartered Forester - ICF Registered Consultant - Fellow of the Arboricultural Association -
Arboricultural Association Registered Consultant - Chartered Environmentalist.**

<i>From:</i>	██████████	<i>To:</i>	Prospective Client
<i>Date:</i>	Sept2019	<i>No. of pages:</i>	2
<i>Subject:</i>	Professional CV		

Below are set out **B J Unwin Forestry Consultancy's** competences and experience.

Insurance:-

£5m Public Liability & £2m Professional Indemnity (renewed June).

Personnel:-

B J Unwin (born 1956) started his forestry career as a tree surgeon and landscape contractor in 1975. He studied forestry at Aberdeen University from 1977 to 1981, worked for Unilever as a Forestry Manager in the Solomon Islands from 1981 to 1983. Since then he has been based in Gloucestershire assisting clients to manage their woodland, trees and vegetation throughout Southern Britain, and occasionally in northern England, Scotland and Northern Ireland.

In the mid-1980s to mid-1990s for a period of about ten years he taught chainsaw, tree felling and tree surgery courses at Worcestershire Agricultural College on a part-time basis. He was assessed and passed as a LANTRA assessor in these skills, and held NPTC certificates of competence in chainsaw use on the ground and up trees.

He now works as a tree consultant / manager / contract manager to a range of clients listed below. For tree decay testing we have a **PICUS II ULTRASOUND** tomograph with electronic callipers and **RESISTOGRAPH-R400** drill.

He works with two self-employed arboriculturalists of >20 years' combined experience:-

Jasper Fulford-Dobson Arboricultural Association Registered Consultant - Associate Member of the Institute of Chartered Foresters - Professional member of the International Society of Arboriculture - Technicians Certificate (ArborA) 2005, now regarded as NQF "level 4" - Professional Tree Inspection Certificate (LANTRA) 2013,

Owen Hutchison BSc(Hons) Agriculture & Estate Management, Level 4 Diploma Arboriculture, LANTRA Professional Tree Inspection & working with trees since 2007, &

Alex Collier who achieved in July 2018 Level 5 Arboriculture Foundation Degree with a Distinction. In June 2016 achieved Pershore College Level 3 Extended Diploma in Forestry and Arboriculture, completing the course with a Distinction grade (+SC30).

Plus a secretary/ plan technician; calling in extra help as required (eg ecologist or arboricultural assistant). On bigger projects he regularly works as a part of a multi-disciplinary team.

Current BJUFC qualifications are:-

BSc Forestry Hons 1st Class, Aberdeen 1981.

Chartered Forester No. 0330064, 1986.

Fellow of the Arboricultural Association, 1995.

Licensed Subsidence Risk Assessor, 1997-2001 (scheme closed in 2001).

Completed Training in September 2002 to Prepare Native Woodland Plans for CCW and FC in Wales.

Arboricultural Association Registered Consultant No. 42, 2004.

LANTRA certificate for Arboriculture and Bats, BJU in 2005.

Examined and approved to submit Welsh WGS as Management Planner and PAWS Assessor, 2006.

Joined Utilities Vendor DataBase, Supplier No: 88101 in Feb 2006 (left 2010).

Training and Certification in basic CAD operation 2006.

Chartered Environmentalist April 2008.

Woodfuel Production and Supply : LANTRA Certificate of Training Dec 2008.

Training in CAVAT amenity tree asset valuation October 2010.

Company Safety Policy:- We have been successfully assessed by Safety Management Advisory Services (SMAS) as meeting CDM Regs 2015 Core Criteria Stage 1, as a **Worksafe Consultant No. 90180.** expiry 27/09/2020.

CITB *Health, Safety & Environment Test for Managers & Professionals* passed 22/01/2015.

First-aid at work June 2013.

Current clients and typical work include:-

English Heritage	Tree safety inspection contract 2007-2013 for East Midlands, East Anglia, London and SE England. Tree safety inspection contract for West of England & Midlands 2013-2019.
Planning Inspectorate (PINS) & Dept for Communities and Local Government. 2000-2017.	Arboricultural Inspecting Officer in South-West England, South East England, West Midlands and East Midlands; advising the First Secretary of State on TPO appeals since 2000. Contract with DCLG expired April 2008 when transferred to PINS. Contract continued with PINS, as Non-Salaried Arboricultural Inspector, determining TPO appeals and High Hedge appeals. All non-salaried inspectors released in 2017.
Architects / Developers / Planning Appeals	Complete Tree Constraints, Impact Assessment & Tree Protection advice for planning, working with other professionals to input arboriculture into more complex development schemes. Recent assignments in Liverpool to Dorset, Kent, Norfolk & London. All using BS5837:2012. FULL CAD CAPABILITY.
Amey Mouchel Ltd	Overseeing Amey Tree Officer on motorway and trunkroad tree inspections throughout Midlands and Marches to 2012. Amey Mouchel are agents for Highways Agency.
CRH Tarmac Ltd, + Midland Quarry Products + Quarryplan (in Northern Ireland).	Since 1990 working with Estates staff, quarry managers and Landscape / ecological consultancies organising and managing contracts for tree and woodland planting both pre- and post- quarrying. Also preparing landscape restoration schemes for straightforward sites plus landscape management on sites throughout southern England, East Anglia and south and south-west Wales. (Commendations for Land Restoration and Environmental improvements from Spelthorne Borough Council 2003.) Also in England & Northern Ireland ongoing tree consultancy for Quarryplan.
Land Agents	Assisting Bruton Knowles clients' with woodland management and other tree issues since 1984. We also assist clients of Fisher German and Savills on a regular basis.
Tarmac Central now CRH Tarmac Ltd.	Since 1988 woodland management of Hopwas Hays Wood, Tamworth.
Rural estates in Herefordshire, Worcestershire and Gloucestershire, plus private woodland owners in southern England and Wales.	Since 1983 woodland management, tree management, hedgerow management. Many are Ancient woodlands and SSSI's requiring detailed ecological management plans produced in consultation with ecologists. About forty Farm Woodland Premium Schemes and about twenty Native Woodland Plans prepared to date in England and Wales. On-going EWGS grant applications. Input into Tir Gofal (and its successor) and Stewardship schemes. Better Woods for Wales (BWW) applications.
British Waterways	Ten-year Tree and Vegetation Management Plans along canals and around reservoirs in London, Hertfordshire, Berkshire, Birmingham, Staffordshire, Worcestershire, Gloucestershire, Shropshire, Llangollen Canal, etc: plus help in dispute with riparian owners. This work ceased around 2011.
Stroud District Council	Management of 49Ha woodland since 1989 on FC schemes plus grassland on DEFRA Stewardship Schemes, including HLS. Retired Nov07.
One-off clients	Since 1983 assisting tree owners, developers, lawyers etc throughout southern or midland Britain, including Wales, on a wide range of tree-related issues including planning, planning appeals, subsidence, health & safety, disputes, vegetation control, expert witness, valuation of woodlands, standing and felled timber, Christmas trees etc, and tree and landscape planting schemes. Recently High Hedge issues and BS5837 are hot topics.
Malvern Hills District Council. South Oxfordshire District Council	BJU Stand-in part-time Consultant Tree Officer Summer 2003. JF-D stand in Consultant Tree Officer summer 2009 to spring 2010.
Golf course & leisure facilities	Assistance with development of Carden Park golf course in Cheshire. Management advice for trees on other golf courses: Eg Ross Golf Club, Swindon Golf Club .
Farm management	Management of own 95Ha farmland since 1985.

Please do not hesitate to ask for further information. B J Unwin END.

9th November 2020

development.control@gloucester.gov.uk

Dear Sir or Madam

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999**

Our Reference: | 20/00730/TPO

Location: | 15 Barnwood Avenue Gloucester GL4 3DA

Proposal: | Cedar (T1) - Fell because the tree has outgrown its constrained location, overhangs two houses, and two drives, and sheds healthy branches which are large enough to pose a significant safety threat to persons underneath. As demonstrated this is not a suitable site for a replacement tree. Inspection report enclosed.

I write further to your application regarding the above. I can confirm that the Planning Committee of Gloucester City Council at their meeting of 03 November resolved to **REFUSE CONSENT** for the works for the following reasons:

The tree is of significant public amenity value, it has not outgrown its location, large trees spaced amongst houses in the area are a characteristic of the vicinity. The tree is presently healthy with no significant defects, it has been inspected by qualified arboriculturists (independent and city council's), who recommend pruning works to lessen the likelihood of branch failure, not tree removal.

Should you wish to appeal against the Council's decision to refuse consent for the works originally applied for, you should contact The Planning Inspectorate.

Due to coronavirus (COVID-19), you cannot currently appeal by post further information about how to appeal can be found here:

<https://www.gov.uk/appeal-decision-about-tree-order/how-to-appeal>

You must do this within 28 Days of the date you receive this letter. The Secretary of State has the discretion to allow a longer period.

If you require any further information, please contact Justin Hobbs.

Yours faithfully



City Climate Change and Environment Manager