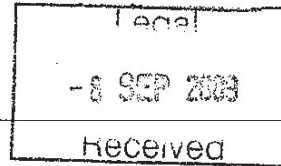


Our ref : MF/4732

04 September 2009



Samantha Ebsworth
Legal and Democratic Services
South Oxfordshire District Council
Benson Lane
Crowmarsh
Wallingford OX10 8QS

Dear Madam

Town and Country Planning Act 1990
Town and Country Planning (Trees) Regulations 1999

Tree Preservation Order No. 15/2009
Howbery Park, Benson Lane, Crowmarsh Gifford

Thank you for your letter of 12 August 2009.

On behalf of our client, H R Wallingford Limited, we wish to maintain the strongest objection to the re-imposition of this temporary TPO. We attach our original objection and would request that this is taken as objecting to the new TPO. The Council should also take account of the following points.

The perceived need for a TPO by the Council seems to have been triggered by two issues, namely, some isolated instances of difficulties relating to trees associated with the existing approvals for the business park and secondly the planning application for residential development on the northern part of the site.

In relation to the first of these, clearly the protection of trees and the provision of new planting in association with new development is adequately and rightly controlled by planning conditions associated with the relevant planning permissions. Historic issues are no justification for imposing a TPO across the site as the extent of control by planning condition is already sufficient to ensure the new development that is already approved (and future reserved matters applications) enhance and do not detract from the landscape quality of the site.

Secondly the planning application for housing has now been withdrawn and HR Wallingford have no plans to resubmit this application.

In addition, H R Wallingford have a comprehensive tree management plan which is shortly to be up-dated. In our view this is clear evidence that HR Wallingford take their stewardship of the landscape of the site very seriously.

On this basis, we do not consider a TPO to be justified.

On a without prejudice basis to HR Wallingford's objection to the principle of such an imposition, if the Council wish to continue the process it must be in all parties interests to consider a more selective identification of the trees of amenity value.

We would also re-confirm our insistence that any permanent TPO is made the subject of a report to committee, allowing our client to express their objection to the Council's approach to the Members of the committee.

We look forward to hearing from you further in due course.

Yours faithfully



MARTIN FRIEND
DIRECTOR
FOR VINCENT AND GORBING
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cc J Ormston – HR Wallingford