### TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO208 Land West of Newent Lane, Huntley

The Forest of Dean District Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

### 1. Citation

This Order may be cited as The Tree Preservation Order DFTPO208, Land West of Newent Lane, Huntley

### Interpretation

- 1.1. In this Order "the authority" means the Forest of Dean District Council.
- 1.2. In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

### 2. Effect

- 2.1. Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- 2.2. Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

### 3. Application to trees to be planted pursuant to a condition

In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 26<sup>th</sup> day of March 2015

The Common Seal of the FOREST OF DEAN DISTRICT COUNCIL was hereunto

Affixed in the presence of

### **CONFIRMATION OF ORDER**

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL without modification on the 27<sup>th</sup> day of May 2015

OR

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL, subject to the modifications indicated by broken black line on the map, on the day of

Signed on behalf of the FOREST OF DEAN DISTRICT COUNCIL

Authorised by the Council to sign in that behalf

### **DECISION NOT TO CONFIRM ORDER**

A decision not to confirm this Order was taken by the FOREST OF DEAN DISTRICT COUNCIL on the day

Signed on behalf of the FOREST OF DEAN DISTRICT COUNCIL

Authorised by the Council to sign in that behalf

### **VARIATION OF ORDER**

This Order was varied by the FOREST OF DEAN DISTRICT COUNCIL on the day of by a variation order under reference number a copy of which is attached

Signed on behalf of the FOREST OF DEAN DISTRICT COUNCIL

\*\*\*\*\*\*\*\*\*\*

Authorised by the Council to sign in that behalf

### **REVOCATION OF ORDER**

This Order was revoked by the FOREST OF DEAN DISTRICT COUNCIL on the day of

Signed on behalf of the FOREST OF DEAN DISTRICT COUNCIL

.....

Authorised by the Council to sign in that behalf





Tree Preservation Order DFTPO208 Land West of Newent Lane, Huntley

Scale: 1:2000

09 March 2015

## SCHEDULE 1 SPECIFICATION OF TREES

## **Trees specified individually** (Encircled in black on the map)

Reference	on Map Description	Situation
T1	Sycamore	Field/road boundary
T2	Oak	Field/road boundary
<b>T</b> 3	Ash	Field/road boundary
<b>T</b> 4	Ash	Field/road boundary
Т5	Lime	Field/road boundary
Т6	Ash	Field/road boundary

# Trees specified by reference to an area (within a dotted black line on the map)

Reference on Map	Description	Situation	
-	-	-	
	<b>Groups of tree</b> (within a broken line on		

Reference on map	Description (including number of	Situation trees in the group)
G1	2 Ash and 4 Oak	SO718194 (X371813, Y219477)

line on the map)
Situation
-

### Report for a Tree Preservation Order

### **DFTPO208 Land West of Newent Lane, Huntley**

### **Introduction**

A Tree Preservation Order is recommended for one group of trees and six individual trees on land west of Newent Lane, Huntley (see Appendix A – B for TPO plan and photographs). The trees should be referred to as:

G1 – 2 Ash and 4 Oak

T1 – Sycamore T2 – Oak T3 – Ash T4 – Ash T5 – Lime T6 - Ash

Planning application P1995/14/OUT currently seeks permission for the erection of up to 60 dwellings, access, open space and associated infrastructure on land to the west of Newent Lane. There are a number of trees on site of high amenity value which could be subject to management pressures if development on the site is permitted.

### **Desk Based Assessment**

The application site is situated to the west of Newent Lane, Huntley. Trees identified in the recommended group G1 are located adjacent to a public right of way which crosses through the site from east to west. Trees T1-T6 are located on the northern site boundary adjacent to Newent Lane.

The trees identified are considered in the arboricultural report submitted with application P1995/14/OUT to be of individual and collective merit. Whilst the indicative masterplan for the site shows the above trees to be retained; some within areas of public open space and some of which may be within the gardens of residential properties, it is expected that following the development of the site if consented, there will be increased pressure on the management of the trees due to perceived safety and nuisance concerns. The masterplan is only indicative at this stage and the proposals and layout may well change at reserved matters stage.

### Site Based Assessment

The trees can be viewed from Newent Lane, Ross Road and public rights of way both within the site and through adjacent and nearby fields. Trees in G1 have an open grown appearance. While the trees are of mixed value individually, they work well as a group to contribute a valuable feature on site. Trees T1-T6 border Newent Lane. They are features to the lane and would also contribute towards the assimilation of development on the site into the surrounding landscape when viewed from the lane. The larger, more mature trees on this boundary have been selected for inclusion in the TPO. Trees recommended for removal by the arboricultural report submitted with P1995/14/OUT have not been included.

### **Consultation Responses**

No consultations have been made with regards to the making of a TPO. Concerns regarding the future of trees on site have been identified within consultation responses and public comments for P1995/14/OUT however.

### **Discussion**

**Visibility:** The trees are prominent from public rights of way, Newent Lane and Ross Road, Huntley.

**Individual Impact:** The trees merit protection both individually and collectively. G1 of the recommended TPO includes trees 1-6 of the arboricultural report dated December 2014 and submitted with P1995/14/OUT which are categorised in accordance with BS5837:2012 as category A, B and C trees individually however five of the trees in G1 (one Ash and four Oak) were considered by the survey to warrant category A by virtue of their collective merit.

T1-T6 of the recommended TPO cover trees 41 and 43-47 of the report, where T1-T5 of the recommended TPO are considered by the arboricultural report to form a category 'B' collective.

**Wider Impact:** Trees in group G1 are particularly important characteristic features of the site and public rights of way when viewing both on site and from outside of the site.

Trees T1-T6 of the recommended TPO are located within a roadside hedgerow on the northern site boundary which contribute both to the adjacent Newent Lane and the site, and can also be viewed in the wider landscape.

Trees in G1 and trees T1-T6 would contribute a feeling of maturity to any new development on site.

**Expediency:** A planning application has been submitted to the District Council for the development of land west of Newent Lane. Development on site is expected to increase management pressures on trees of high amenity value due to perceived nuisance and safety concerns. Current proposals are indicative and a TPO would ensure the safe guarding of trees high in amenity value prior to and in the event of planning consent.

A TPO is considered expedient.

**Conclusion of Discussion:** One group of trees and six individual trees are considered to merit protection. These trees are of high amenity value currently and will also provide a sense of maturity to any new development.

### Alternatives to placing a Tree Preservation Order

Do nothing. Planning conditions could be put in place in the event of planning consent however these would provide only temporary solutions to the safe guarding of the trees. The trees are not within a Conservation Area and are not currently protected by a TPO. In the absence of planning controls the Council's permission will not be required prior to the removal of these trees.

### **Recommendation**

That provisional Tree Preservation Order DFTPO208 Land to the West of Newent Lane, Huntley be made.

Planning and Housing Group Manager:.P	. CliReport
Agreed / Disagree*:	

#### Appendix A – TPO Plan



(c) Crown copyright and database rights 2013 Ordnance Survey 100019102

Appendix B – Photographs



Looking West to G1 from public right of way



Ash and Oak in G1 from PROW



Oak in G1 from PROW



Oak in G1 from PROW



Oak trees in G1 from PROW



Oak tree in G1 from PROW



Ash tree in G1 from PROW







	(m) Marriel	M		Cremi Spred (m) E S W	1	Common (a)	The second		Sector Sector	Comments	RSS317 Category	RFA Radius (m)
	H.	-	<b>E.13</b>	-	1		Man	Debut Average	Indiana	Fores part of Category A collective	υ¤	TO
	4	-					-	1	-	ubbarrer Praker, Begrother indextueller (z. 2. 2. 4. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.		2
			10		-		1	1	1	Repto come Control or a more control of technical alloce comp Control or an entrol of the Dense periods character of technical alloce comp	10.14	3
	S.	122	13	57 FR	ĸ		Mahre	Below Average	Jan Barris	Brogis hurred stem Fiscaline Inquelice at lates to vest Canodi torn Stand had stor Fiscars part of Canagory A colluction	09	5
Sector and State	Æ	521	=		7	35	1	1	-	Strates can be an an an an an annound the strates of a distribute when examply provide the strates of a distribute provide the strates of Christian A minimum	<2	R
	1244	-	-	*			1	-	-	Registration Colorgial Agence 13 Products properties		-
	5 Acri	-11	5	25	17	2	Early Linkow	Marah	Indifferent		o ;	•
	10m		**	Pre-		4	Early Links	Annage	Poor		100	4
	13m	5	ed va	53 55	-	23	Number of Street	Debu Average	Indiana		202	10
	mči –				ę	n	Early Mature	Dates Average	Poor		t u \$	7
	MO3				2.73	3.5	Early Libburg	Average	Indifferent		3 U \$	27
	thm	2	ei vo	35 0		13	Early Mahara	Average	Indiani		102	21
	10m				8.5	4.5	Early Manual	-	Inddawn		105	34
	\$				22	2	Anna'	Averga	Indianae		iu p	1
	ł	w in	4 12 4	4.5.6		14	lithers	Average	Indiana		100	•
	5	4	45 0	5 175	27	2	-	Annual	Poor		202	3
· · · ·	ā	0.75 D.	9 220	65 25	10	25		Deter Average	Persentaur	Terrunal decline Large bland wormed with crasiland lamber on terrecon cide If any loss through collegese entitiested	ŋ	ž
	a	2 11 2	273 3	22 25		z	ij		2		υp	2
	8	e n	15 2	23 275	'n	25	1	Second works	2	Konte vient Forting at c.2.4m Dand from Ser	2	WW
	5	428 375 45 425	* 5	5 42	19	2	-	Prine Avenue	ž	1 May holiton simm Fordward an c 2m	12	No.

Appendix C – Tree Survey, Tree Constraints Plan and Tree Protection Plan of the Arboricultural Report submitted with P1995/14/FUL

The Survey Schedule: August 2014

aspect

aspect antoriation RPARadau (m) 2 5 MN 3 5 h ā, 2 2 12 ų 3 27 2 2 2 2 NN 1 1 . BASAUT Cologeny 0202 υp 020202 υĽ 0 2 00 -U D \* 0 whether beck Forms part of a Calegory B collection Forms part of a Cutegory & collective Forms part of a Category B collective and concept and manage actioned to be a state of a Commenta Streams Par. Indianal Indifferent **Fillen** Indianat of the second second Indifferent **hddent** Indiana **Million Manufacture** diament. e į Į Į 2 Ž Ross Road, Huntley Thread in the second Early Mature Bellow Average Below Average Auropa Below Average 1 Versel Artega Annage Average Annapa Analy Among Average Awage Average **Merca** Arrest America A Uh She Early Linking Early Linking Early Linkow Early Linua Early Medica Early Mahan Early Mature Inter Early Linna land, Early Mahan anna, Anna A Surger State ş **Without** Number of Street, or other j -Į j Comment (m) 50 2 ĸ 5.75 9 NN ыĄ 3 е 52 ij ส 473 2 10 and the second s 2.73 22 5 12 2 ŝ 9 3 **N**M 3 52 . 2 ÷ Crews Spraud (m) Hangan (m) M R R W 27 -1 4 1 3 4 2 273 5 10 ě 5 -4 Ę Į, 5 ş 5 ā 5 Į. Į, 1740 E 111 BS5837:2012 Tree Schedule 3 × 200 # 2 = 150 2 = 200 # 10012 150 -8 1 8 8 12 8238 Ē 3 â 2 200 200 in constant 43 Comman Lime Rectings -English Oak Phenditan Ş 27 AM 45 Aut Ş Į ā Ş ŧ į Į į Į Ę ş Ş j 5 5 5 Ĵ -8 8 8 8 ជ z 41 ų a 8 я 4 a 8

The Survey Schedule: August 2014

aspectmenter

NoTeam team teamTeam team teamTeam team teamTeam team teamTeam team teamTeam team </th <th>3</th> <th>BS5837:2012 Tree Schedule</th> <th>chedulo</th> <th></th> <th></th> <th></th> <th>Ross Roi</th> <th>Ross Road, Huntley</th> <th></th> <th></th> <th>aspect atoriculture</th> <th>mborious</th>	3	BS5837:2012 Tree Schedule	chedulo				Ross Roi	Ross Road, Huntley			aspect atoriculture	mborious
Me     3:130     Rin     4.3     1.3     Non     Me       Me     3:140     Ke     4.3     1.3     You     Me       Me     2:140     Ke     4.3     1.3     You     Me       Me     2:140     Ke     Me     Me     Me     Me       Me     2:140     Ke     Me     Me     Me     Me       Me     Ke     Me     Me     Me     Me     Me       Me     Ke     Me     Me     Me     Me     Me     Me       Me     Me     Me     Me     Me     Me     Me     Me     Me       Me	H	Commen Species	<u>1</u> ]1		1	Comments (m)		Physical Condition	Rectand Condition	Comments	BSCN17 Calegory	PARA I
4b       3:13b       10       4.13       1.24       1.35       1.		-	-	4	-	Sc.y	Hanne	abaunty	Monador.	Serger DAG. Follow as a de- Montone Special de speciales. Forme sons is de companies.	= 2	2
Para   IZB v.   1-5 mode   IZB v.   1-5 mode   IZB v.   1-5 mode   Note   Note   Note   Note   Note     Mathematical Mathamatical		ĩ	3=1304	tûm	17	1.75	thurs?	Annya	Inddana		e ĉ	12
Mathematical   Mathematical     Mathematical   CORMA     Mathematical   Corma <td>1</td> <td>Į.</td> <td>120 M</td> <td>÷.</td> <td>₹ Į</td> <td>175</td> <td>Early Manual</td> <td>Anaqu</td> <td>Indiana</td> <td>and a second second</td> <td>100</td> <td>2</td>	1	Į.	120 M	÷.	₹ Į	175	Early Manual	Anaqu	Indiana	and a second	100	2
Main M		h	and a		=1	2	1	1	1	recordendia and the strategies and the second second on the second second second second second second the second second second second second recordend strate second second second recordend strate second second second second strate second se		
teration 20. 2.4 net. 1 1 13 Ent/ kiloner / wenge kefferet Specification 20. 2.6 net. 1 1 13 Ent/ kiloner / wenge kefferet Entrinom 100 met. 2 - 6 net 11 1 13 Ent/ kiloner / wenge kefferet Entrinom 100 met. 2 - 6 net 11 13 Ent/ kiloner / wenge kefferet Entrinom 100 met. 2 - 6 net 11 13 Ent/ kiloner / wenge kefferet Entrinom 100 met. 2 - 6 net 11 13 Ent/ kiloner / wenge kefferet Entrinom 100 met. 2 - 6 net 11 2 Ent/ kiloner / wenge kefferet Entrinom 100 met. 2 - 6 net 11 2 Ent/ kiloner / wenge kefferet Entrinom 100 met. 2 - 6 net 12 Ent/ kiloner / menge kefferet Entrinom 100 met. 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met. 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met. 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met. 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 13 Ent/ kiloner / menge kefferet Entrinom 100 met 2 - 6 net 14 Entrinom / menge kefferet Entrinom 100 met 2 - 6 net 14 Entrinom / menge kefferet Entrinom 100 met 2 - 6 net 14 Entrinom / menge kefferet Entrinom 100 met 2 - 6 net 14 Entrinom / menge kefferet Entrinom 100 met 15 Entrinom / menge kef		AA Handbarn Martin	- Marine								24	
Biochemine Herrichter Vorliegeneit Herry       Color       2 - Sim       1       E.d.       E.d.       Nemsten Amerine       Color       2 - Sim       1       E.d.       E.d.       Montheren Amerine       Color       2 - Sim       1       E.d.       E.d.       Montheren Amerine       Color       2 - Sim       1       E.d.       E.d.       Montheren Amerine       Color       Col		Present Systems English Oat	1	2.1 mile	-		Early Materia	Average	Indiana		u Ħ	1
Heinemann Run Half Lagen Heinford Hold Hold Hold Booldfarm Booldfarm Booldfarm Hold Booldfarm Hold Booldfarm Hold Booldfarm Hold Hold Hold Hold Hold Hold Hold Hold		Decision Hondoun Variagend Holy	100 mms.	2 • 5 m	-		Early Makers	Average	hiddlenerd		10	12
Headmann Holf Boochamm Boochamm Boochamm Boochamm Headmannn Headmannnn Headmannnn Headmannnn Headmannnn Headmannnn Headmannnn Headmannnn Headmannnn Headmannnn Headmannnn Headmannnn Headmannnn Headmannnnnn Headmannnnn Headmannnnn Headmannnnnn Headmannnnnnnnnnnn Headmannnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnn		Pure Line	100 mum	3-4m	11 11		Early Makane	steary	Inclured		00	5
Blauckinern Haanscon Fadd mogla töörtes. 2-3m t 0.1 Early Jakana Average Indianuel An		Harden Hafe Backer Denta	100 av.	3.6	5		Early Maxim	Watth	Industri		20	7
		Rectmen Hanton Puki merja Auh	100 men.	3- 3 <b>m</b>	**		Early Medera	Average			12	3

aspect atomaan

Tree Survey Schedule: August 2014

2 02



