

## TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO 205 Orchard Lea, Woodcroft

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 DFTPO 205, Orchard Lea, Woodcroft

### 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.

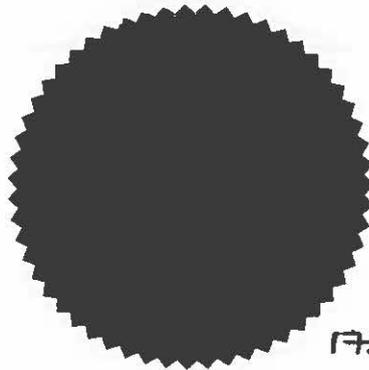
### 3. Application to trees to be planted pursuant to a condition

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 3 November 2014

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

Affixed in the presence of

A handwritten signature in black ink, consisting of a series of connected loops and peaks.

1733

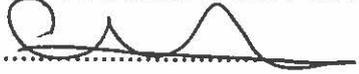
**CONFIRMATION OF ORDER**

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL without modification on the 14th day of April 2015

OR

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL, subject to the modifications indicated by , on the day

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

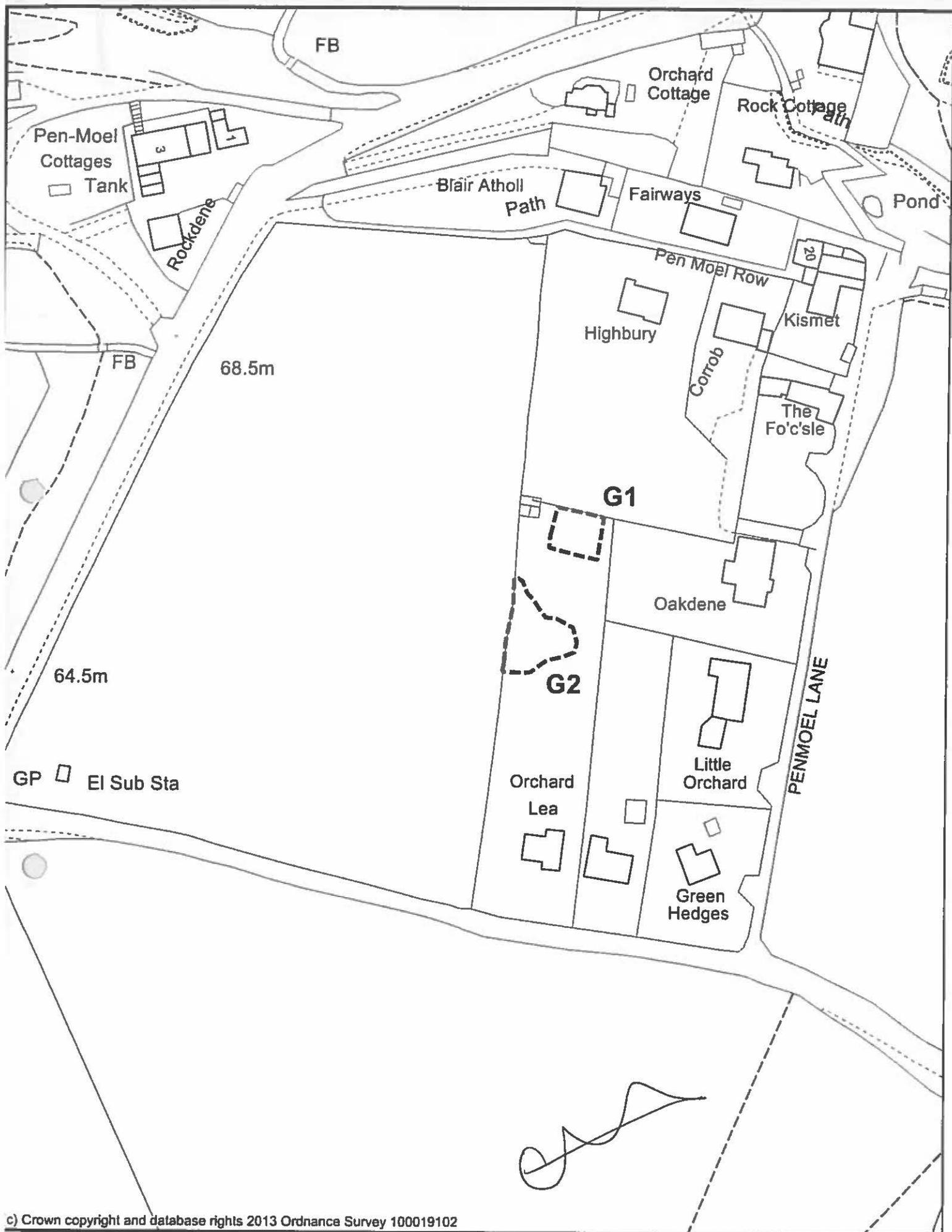
**REVOCAATION OF ORDER**

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



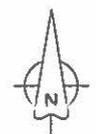
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**Tree Preservation Order  
DFTPO205  
Orchard Lea, Woodcroft**

Scale: 1:1250

24 October 2014



**SCHEDULE 1  
SPECIFICATION OF TREES**

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

Reference on Map	Description	Situation
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**Trees specified by reference to an area  
(within a dotted black line on the map)**

Reference on Map	Description	Situation
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**Groups of trees  
(within a broken line on the map)**

Reference on map	Description (including number of	Situation trees in the group)
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G1	1 Ash, 1 Sycamore	Rear of Orchard Lea
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G2	4 Ash, 3 Sycamore	Rear of Orchard Lea
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**Woodlands  
(within a continuous black line on the map)**

Reference on map	Description	Situation
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# **Report for a Tree Preservation Order**

**DFTPO205 Orchard Lea, Woodcroft**

## **Introduction**

A Tree Preservation Order is recommended for two groups of trees at Orchard Lea, Woodcroft (see Appendix A – B for TPO plan and photographs). The trees should be referred to as:

G1 – 4 Ash and 3 Sycamore

G2 – 1 Ash and 1 Sycamore

A request has been made for a Tree Preservation Order on trees in lower Woodcroft due to recent tree felling and proposals to increase the settlement boundary of Woodcroft.

## **Desk Based Assessment**

Coleford Road, two lanes, two public rights of way and a recreation field are present within a 100m radius of the trees in question. The Wye Valley AONB borders Coleford Road to the West. The trees are adjacent to the recreation field and are considered to be located within the gardens of Orchard Lea.

Policy 50 of the Allocations Plan draft proposes an extension of the settlement boundary of Woodcroft to include the gardens of the properties of Highbury and Orchard Lea as shown in Appendix C.

An application was recently submitted and withdrawn (P1010/14/FUL) for the erection of a dwelling in the garden of Orchard Lea.

## **Site Based Assessment**

Trees considered to be of high amenity value in the location identified by the TPO request are visible as two groups containing Ash and Sycamore. The groups of Ash and Sycamore can be viewed from an adjacent recreation ground, Coleford Road, Bishton Lane, Penmowel Lane and public rights of way and footpaths. They contribute to public amenity as two groups and are recommended to be identified as such. From the southwest the trees are viewed in the context of an area of woodland to the northeast, which is protected by G41 TPO164. The trees are prominent from the West (recreation ground and Coleford Road).

Other trees in the immediate vicinity of surrounding properties are not considered to be of high public amenity value due to their limited visibility from the public realm.

## **Consultation Responses**

The Council received a request for a Tree Preservation Order on an area of trees of a range of species in lower Woodcroft. The request was made on the basis that the

trees are considered to be under threat further to recent clearance works considered to have been carried out to pave the way for potential development and proposals to extend the settlement boundary in Woodcroft.

**Discussion**

**Visibility:** The trees are prominent from a recreation ground and Coleford Road to the West and are visible from Bishton Lane, Penmoel Lane and footpaths to the North.

**Individual Impact:** The trees are large and make up two groups of good form.

**Wider Impact:** The trees form part of the skyline when viewed from the recreation ground and Coleford Road. They are in close proximity to the Wye Valley AONB and are considered to contribute to the character of the local area. They also aid the assimilation of properties in lower Woodcroft into the surrounding countryside.

**Expediency:** It is stated that trees have recently been felled in this area and hedgerows cut back in order to demonstrate suitability for development on this land. Policy 50 of the draft Allocations Plan proposes an extension of the settlement boundary of Woodcroft into gardens of Orchard Lea and Highbury. The trees in question are considered to be under the ownership of Orchard Lea. One planning application has recently been brought forward for a new dwelling in the garden of Orchard Lea. This application was withdrawn.

A TPO is considered expedient.

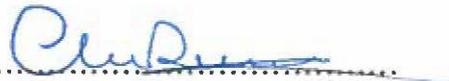
**Conclusion of Discussion:** Two groups of Ash and Sycamore are considered to be prominent landscape features of a size and form that merit protection and can be viewed from a number of public locations. These trees are considered to be of high amenity value.

**Alternatives to placing a Tree Preservation Order**

Do nothing. The Council's permission will not be required prior to the removal of the trees as they are not currently protected by a TPO or located within a Conservation Area. The Council could deal with any existing trees and their retention or removal at the stage of a planning application.

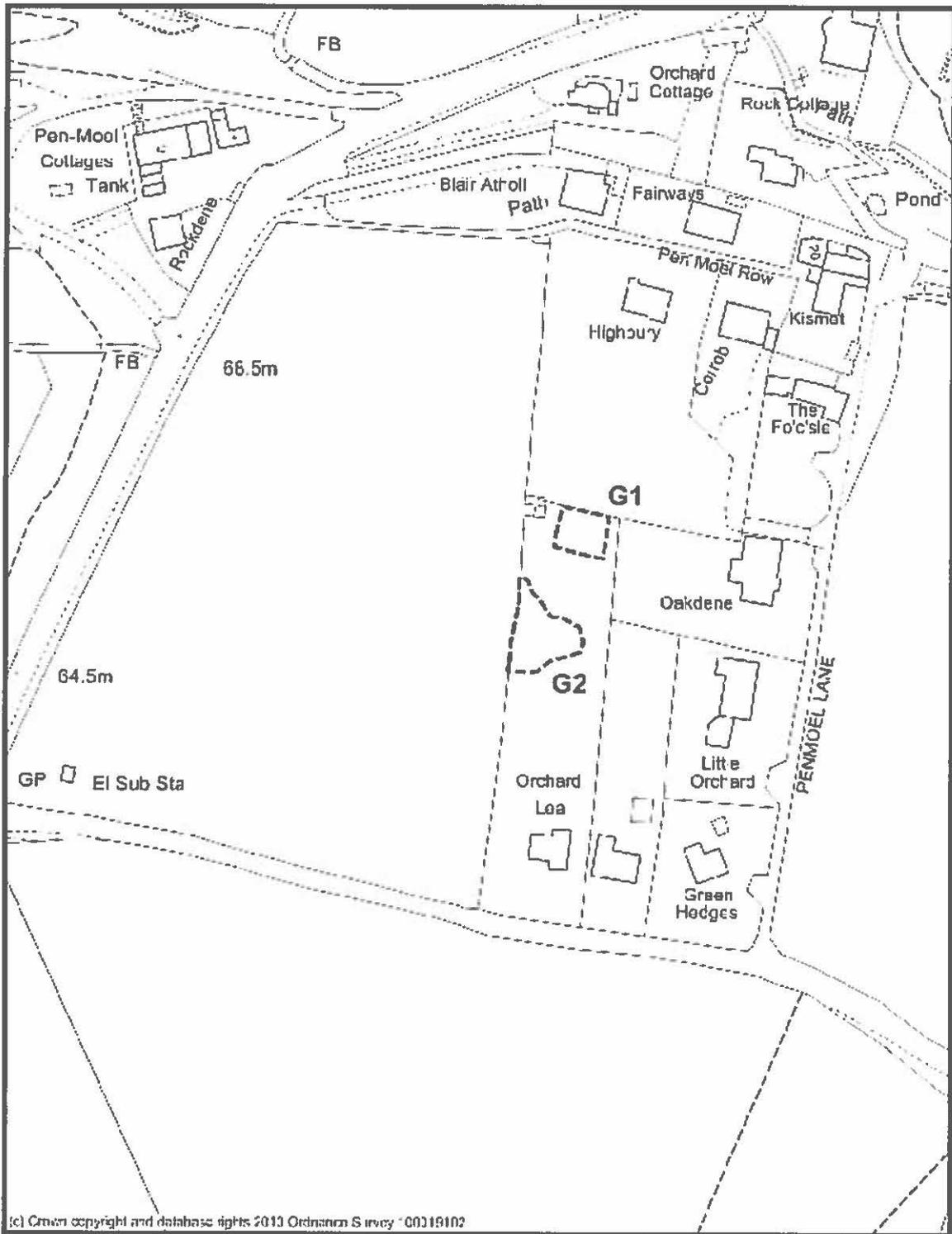
**Recommendation**

That provisional Tree Preservation Order DFTPO205 Orchard Lea, Woodcroft be made.

Planning and Housing Group Manager: 

Agreed / ~~Disagree~~\*: ..... Date: 26/10/14

Appendix A – TPO Plan



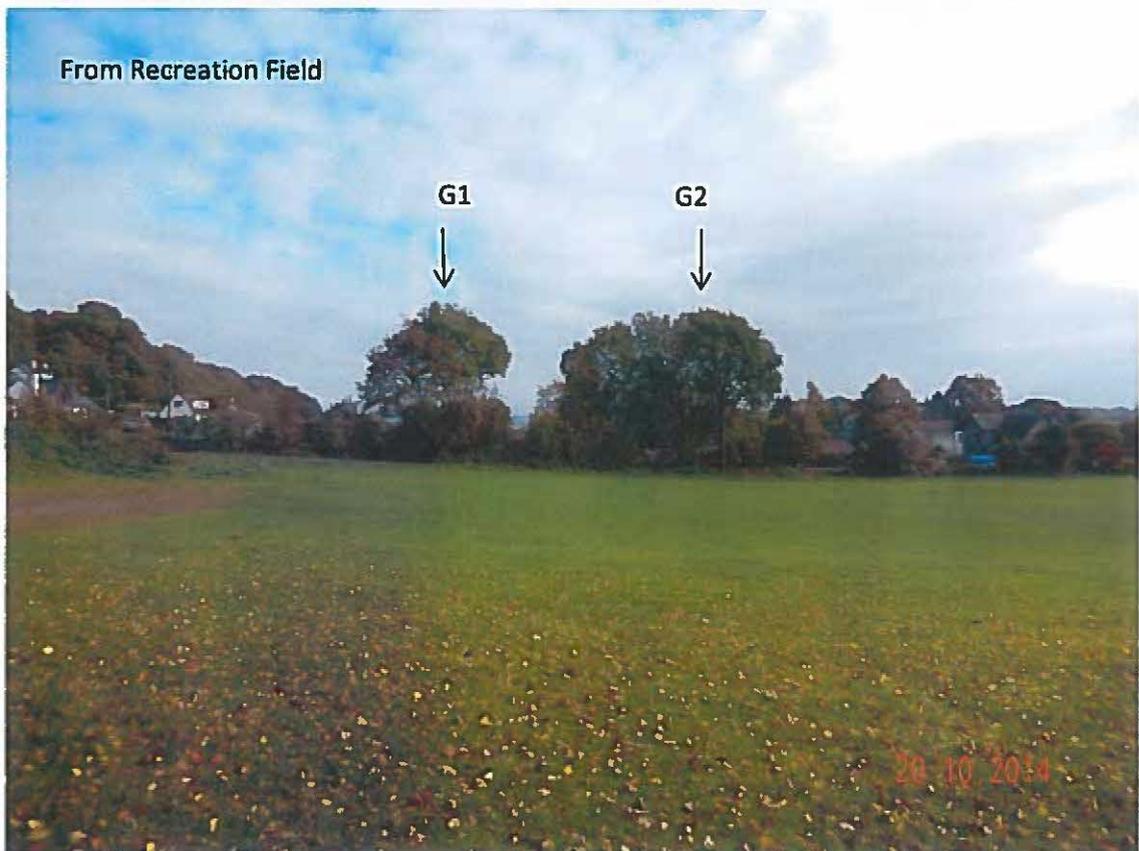
**Tree Preservation Order  
DFTPO205  
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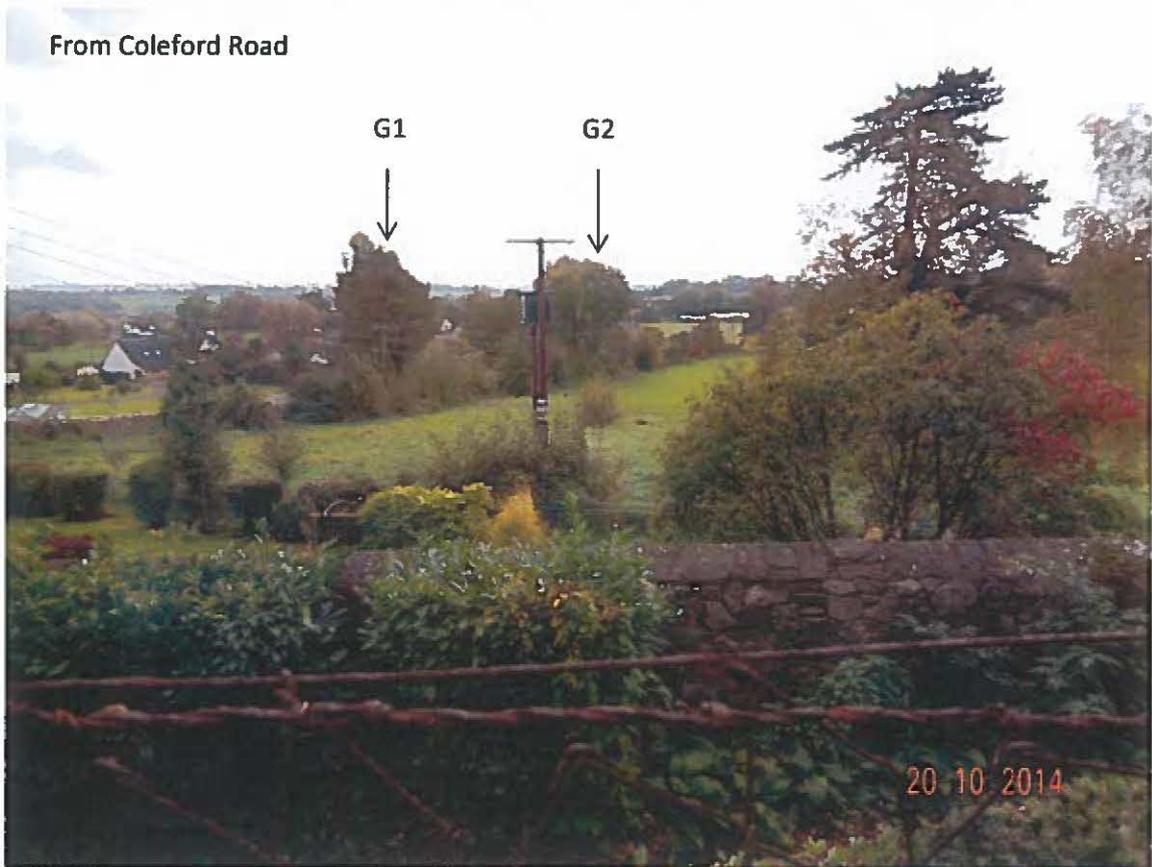
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24 October 2014



Appendix B – Photographs





From footpath to North

G1 & G2



From footpath to North

G1 & G2



# Appendix C – Proposed Settlement Boundary

## 50. Woodcraft

