

TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO226 – Kings Meade, Coleford

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 DFTPO226, Kings Meade, Coleford

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.

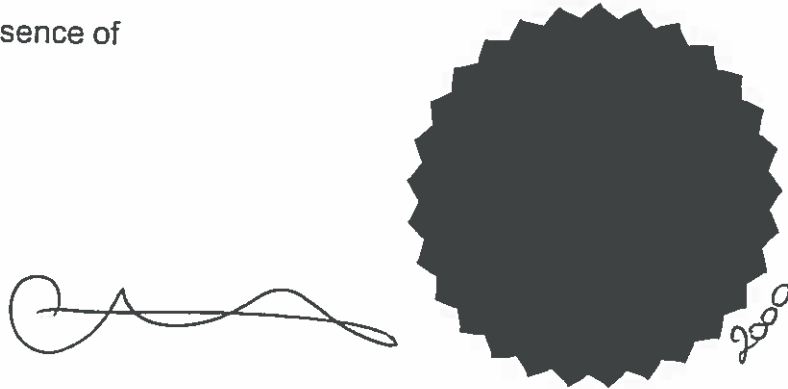
3. Application to trees to be planted pursuant to a condition

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 18 day of May 2017

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

Affixed in the presence of

A handwritten signature in black ink is positioned to the left of a large, solid black circular seal with a scalloped or serrated edge. The seal is partially obscured by the signature's lines. To the right of the seal, the year '2017' is handwritten in black ink.

LEGAL TEAM MANAGER

CONFIRMATION OF ORDER

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL without modification on the 13th day of September 2017

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

REVOCAION 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

**SCHEDULE 1
SPECIFICATION OF TREES**

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

Reference on Map	Description	Situation
T1	Oak	East of Kings Meade visitor car park

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

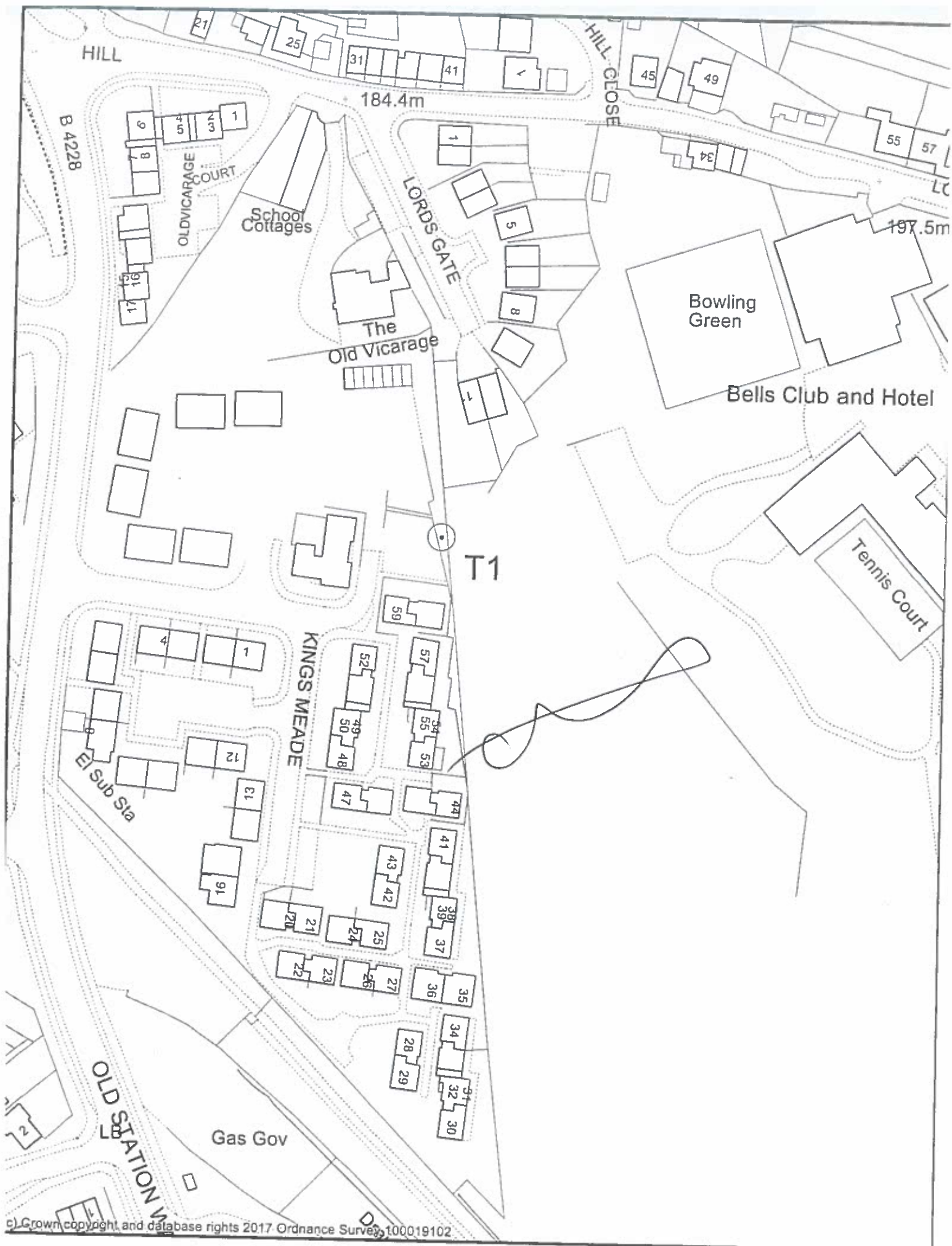
Reference on Map	Description	Situation
-	-	-

**Groups of trees
(within a broken line on the map)**

Reference on map	Description (including number of trees in the group)	Situation
-	-	-

**Woodlands
(within a continuous black line on the map)**

Reference on map	Description	Situation
-	-	-



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**Tree Preservation Order
DFTPO226
Kings Meade, Coleford**

Scale: 1:1250



Report for a Tree Preservation Order

DFTPO226 Kings Meade, Coleford

Introduction

A Tree Preservation Order is recommended for one oak tree at Kings Meade, Coleford (see Appendix A – B for TPO plan and photographs). The tree should be referred to as:

T1 – oak

A request has been received for a TPO on one oak tree which was planted in memory of a writer and GP of the Forest of Dean, at Kings Meade, where he used to reside. The request was submitted due to a concern about the prospect of development on adjoining land.

Desk Based Assessment

The tree is located to the east of the visitor car park of Kings Meade. An area of land to the east is allocated for housing under policy FC 7 of the Allocations Plan Further Changes (December 2016). The Coleford Locally Valued Landscape designation (policy AP 64 of the Allocations Plan) also lies to the east of the tree and Kings Meade site.

Site Based Assessment

The tree is located on a small bank to the eastern side of the visitor's car park for the Kings Meade development. A plaque near the base of the tree reads 'this tree was grown from an acorn by, and planted in memory of, Bill Tandy, a doctor in the Forest'.

The tree is close to the site boundary. Land to the east of the tree slopes upward in an easterly direction. There is a mature Silver Birch tree close by, also in the visitor car parking area.

The tree was planted 23 years ago and has therefore not yet reached a mature size.

Consultation Responses

No consultations have been made regarding the making of a TPO in this location.

A request has been made for the TPO on the basis that; the tree is perceived to be under threat from a view to develop the field behind the visitor's car park of Kings Meade, that the tree is seen to be of great local importance as it was planted in memory of an author and doctor who once lived in Kings Meade and that the tree contributes to its surroundings and may in the future screen further development of Kings Meade.

One letter of support has been received from Reading the Forest. The letter is summarised below:

- Reading the Forest is a project funded by the Forester's Forest aimed at increasing the awareness of the literary heritage of the Forest of Dean.
- Dr Bill Tandy was a writer of significance to many Foresters; a well-known GP who wrote two very popular books about his life and work
- A tree was planted in 1994 when he died and it is now well established
- This tree is of particular significant to the cultural heritage of the Forest and is somewhere we intend to feature as part of a literary trail around the Forest of Dean
- His daughter believes the tree is at risk from a possible development and has requested a TPO
- There is a need for housing in the Forest but it would seem that this should be possible without necessitating the destruction of the tree. Indeed, it might form a very attractive part of any development.
- I hope you will be inclined to apply a TPO to this beautiful and culturally important tree.

Discussion

Visibility: The tree is not visible from a public highway or footpath, however it is visible from the public visitor's car park of Kings Meade. It will also be visible from land to the east. This land does not currently have public access however is allocated for housing.

Individual Impact: The tree was planted 23 years ago and so has not yet reached maturity and is currently not of a great size. The tree has a good form.

Wider Impact: The tree is considered by a project funded by the Forester's Forest to be of significance to the cultural heritage of the district and there has been mention of the tree featuring in a Forest author's walk/ literary trail around the Forest of Dean. The Forester's Forest is a Heritage Lottery funded programme with an aim 'to raise awareness and participation in the built, natural and cultural heritage that makes our Forest special'.

The tree was originally grown from an acorn by Bill Tandy.

With increasing age, the tree will become a mature feature and will help to contribute to the amenity of an existing and potentially a future housing development.

Expediency: Land to the east of the tree is allocated for housing. In the event of the development of the site, development and construction work may have the potential to impact this tree which is in close proximity. When the tree matures there may also be potential conflicts between the tree's canopy and any new development.

A TPO is considered expedient.

Conclusion of Discussion: One oak tree at Kings Meade, Coleford is considered to be of cultural importance, with the potential to become of significant amenity value and is considered to merit protection.

Alternatives to placing a Tree Preservation Order

Do nothing. The Council's permission will not be required prior to works to or the removal of the tree in question.

In the event that an application for planning permission is brought forward for the allocated site to the east, the tree can be a consideration of the impacts of the application and measures requested for its safe guarding. These will not safe guard the tree in the short or long term.

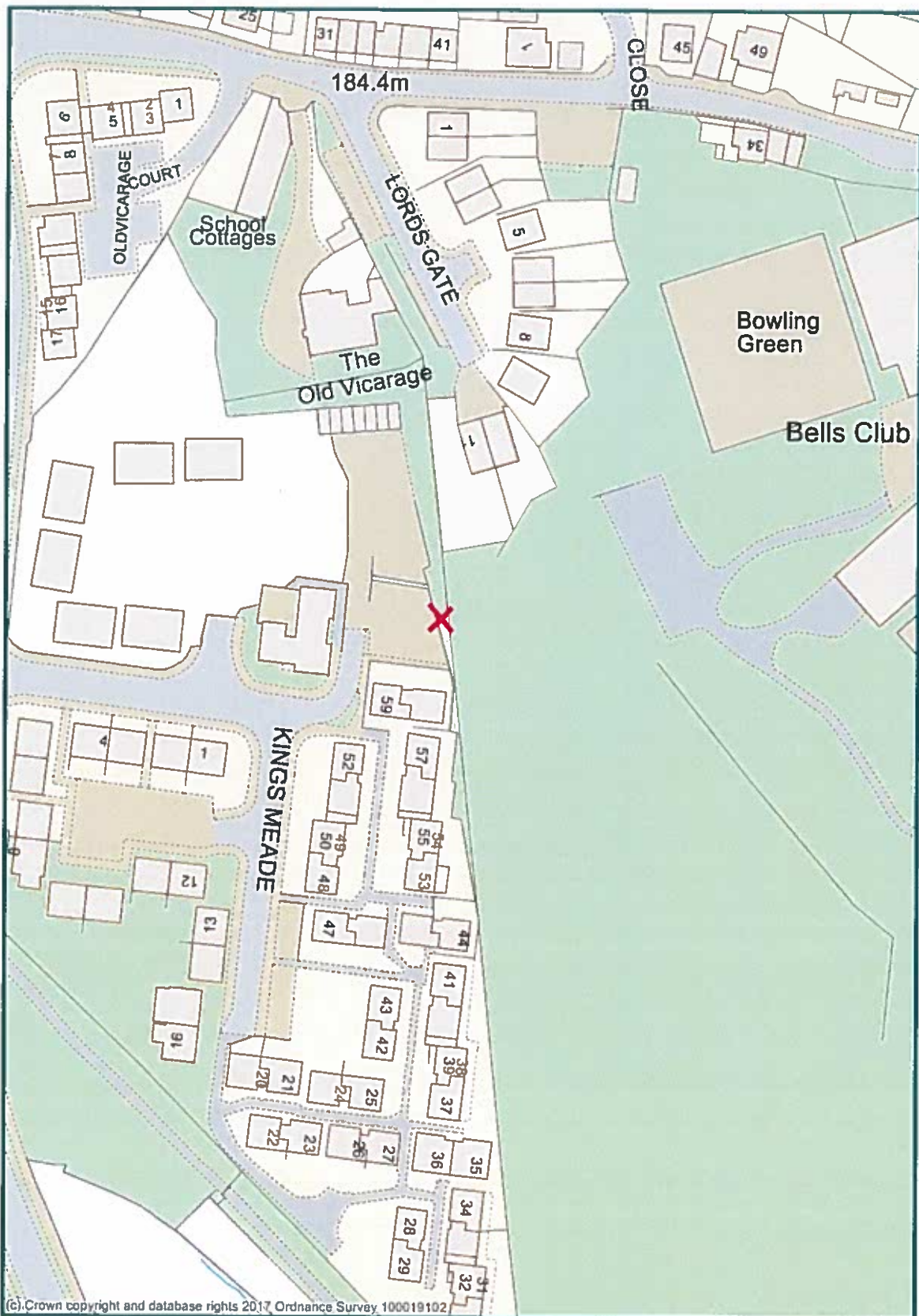
Recommendation

That provisional Tree Preservation Order DFTPO226 Kings Meade, Coleford is made.

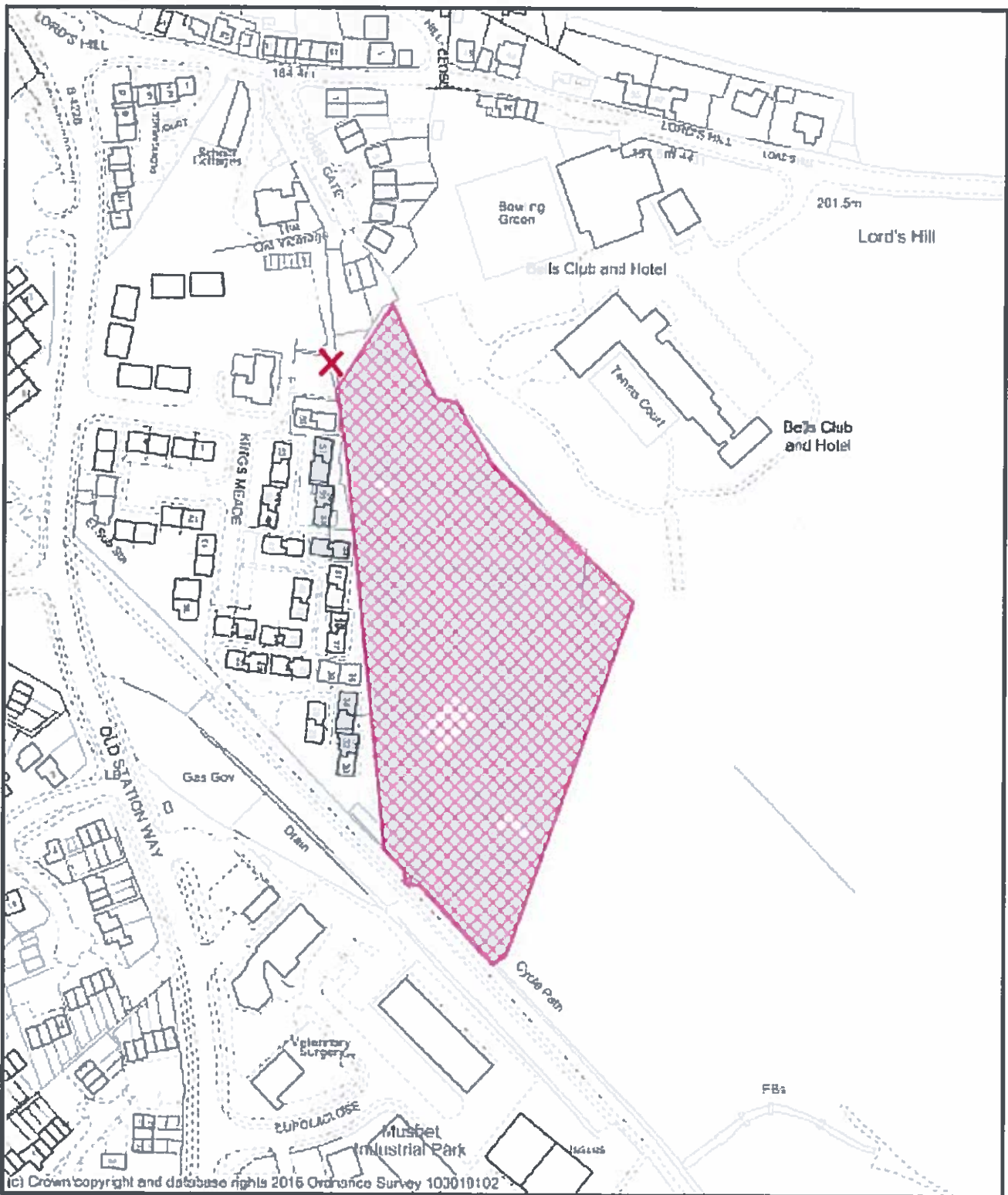
Strategic Group Manager: *P.P. Emma Hughes*

Agreed / ~~Disagree~~*: Date: *9 May 2017*




Appendix A – Location of tree



Appendix B – Kings Meade Allocation



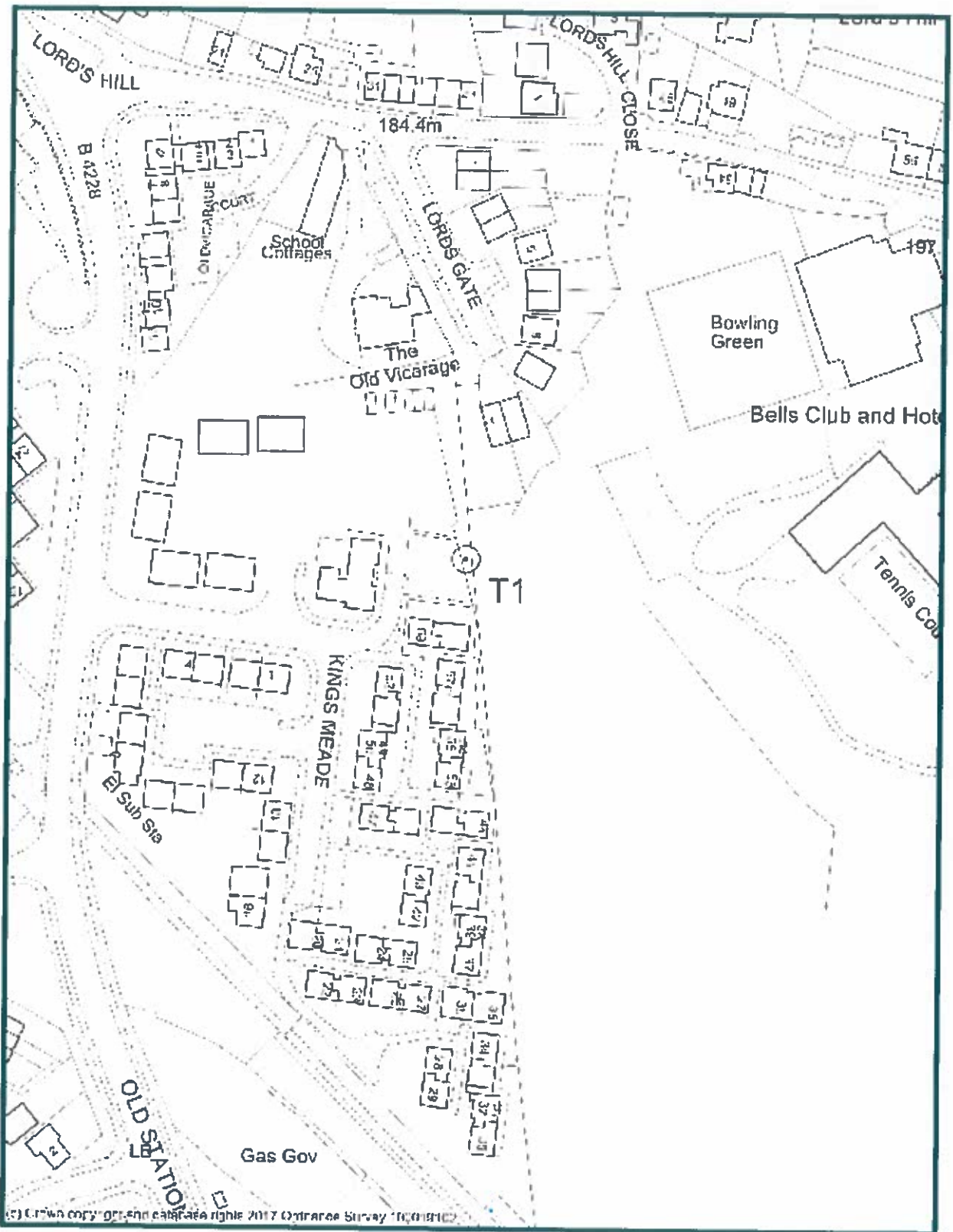
Legend

-  Housing Allocations Allocations Plan Submission Draft August 2016
-  Housing Allocations proposed additions September 2016
-  Housing Allocations proposed additions December 2016

Proposed Further Changes - Housing - Kings Meade Coleford



Appendix C – TPO Plan



Tree Preservation Order
DFTPO226
Kings Meade, Coleford

Scale: 1:1250

05 May 2017



Appendix D – Photographs

