

## TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO222 – Whittington Way, Bream

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 DFTPO222, Whittington Way, Bream.

### 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.

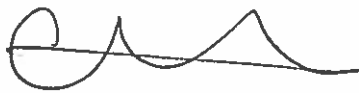
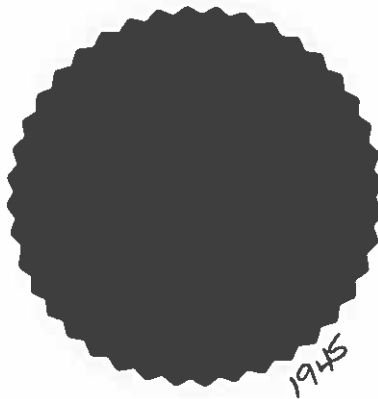
### 3. Application to trees to be planted pursuant to a condition

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 29 day of November 2016

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 loops and a long horizontal stroke.

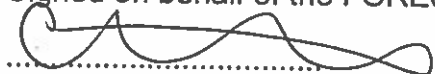
**CONFIRMATION OF ORDER**

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL without modification on the 2nd day of March 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

**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

**SCHEDULE 1  
SPECIFICATION OF TREES**

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

Reference on Map	Description	Situation
T1	Oak	Road verge at 29 Whittington Way

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

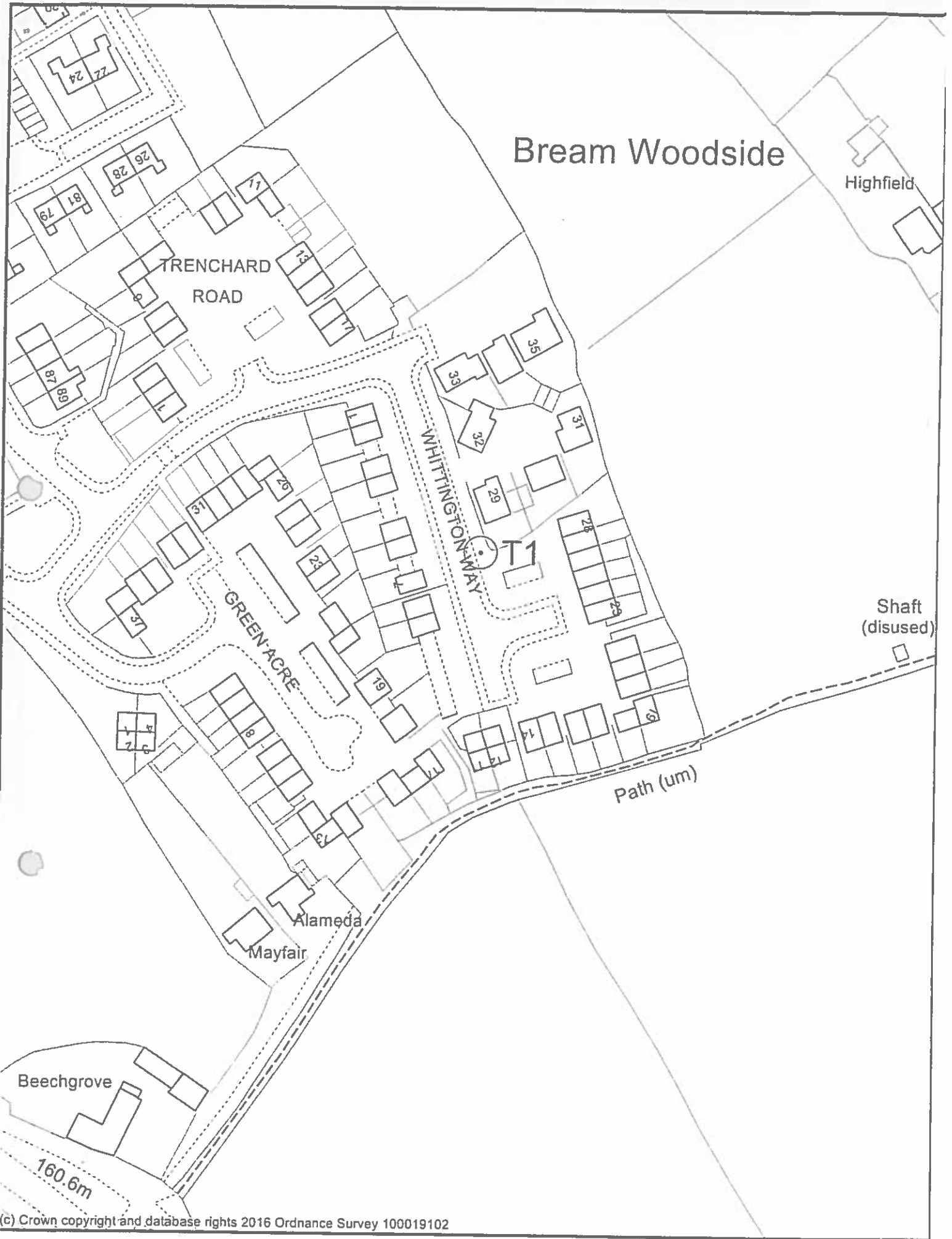
Reference on Map	Description	Situation
-	-	-

**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
-	-	-



Bream Woodside

Highfield

TRENCHARD ROAD

WHITTINGTON WAY

GREEN ACRE

Shaft (disused)

Path (um)

Alameda

Mayfair

Beechgrove

160.6m

T1

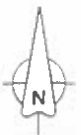
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Tree Preservation Order  
DFTPO222  
Whittington Way, Bream

Scale: 1:1250

26 October 2016



# Report for a Tree Preservation Order

**DFTPO222 Whittington Way, Bream**

## Introduction

A Tree Preservation Order is recommended for 1 individual tree at Whittington Way, Bream (see Appendix A – B for TPO plan and photographs). The tree should be referred to as:

T - Oak

Currently, full planning permission is being sought for the formation of a vehicle access and hardstanding and erection of a car port for 29 Whittington Way (application P1255/16/FUL). The proposed access and car port will be in close proximity to tree T1. The tree is not within a Conservation Area and is not currently protected by a Tree Preservation Order.

## Desk Based Assessment

Current application P1255/16/FUL proposes a new vehicular access, hardstanding and car port. Gates are also proposed. This work includes lowering an existing kerb. The proposals are sited in very close proximity to the Oak tree. It is considered that the proposals will be harmful to the tree and the planning application provides no evidence to the contrary.

## Site Based Assessment

While some trees can be viewed behind properties at the end of Whittington Way, Oak tree T1 is the only tree on the street scene on Whittington Way. It is situated on a verge adjacent to the highway. It appears some vehicles currently park on this verge. To the south of the tree is an existing parking area. There are already constraints on the tree's growing environment.

The ground slopes away from the tree to the east.

## Consultation Responses

In response to a consultation on planning application P1255/16/FUL, West Dean Parish Council expressed that they would like reassurance on the protection of the tree.

No consultations have been made with regards to the making of a TPO on the tree.

## Discussion

**Visibility:** The tree is prominent on Whittington Way.

**Individual Impact:** The tree is an early mature Oak tree. It is clear some works have previously been carried out on the tree which have affected its natural form, though it remains an attractive feature of the street scene.

**Wider Impact:** The tree contributes a feature and helps to soften the landscaping along Whittington Way. Impacts from the tree are mainly localised on Whittington Way.

**Expediency:** Planning application P1255/16/FUL is currently pending consideration for a new vehicular access, hardstanding and car port. This development may be of detriment to the health and longevity of the tree.

Upon refusal of the planning application a TPO is considered expedient.

**Conclusion of Discussion:** The tree is considered to be an important feature of its immediate surroundings. Planning application P1255/16/FUL is currently being considered for development in close proximity to the tree. In the event of refusal of the planning application a Tree Preservation Order would demonstrate that the LPA considers the tree to be of high public amenity value and should be retained. At present, the tree is not afforded any level of protection.

**Alternatives to placing a Tree Preservation Order**

Do nothing. The tree will be afforded no protection and its removal or works to it will not require the Council's permission further to a refusal of the planning application. If an arboricultural method statement was provided for the planning proposals this may be the subject of a condition in the event of permission.

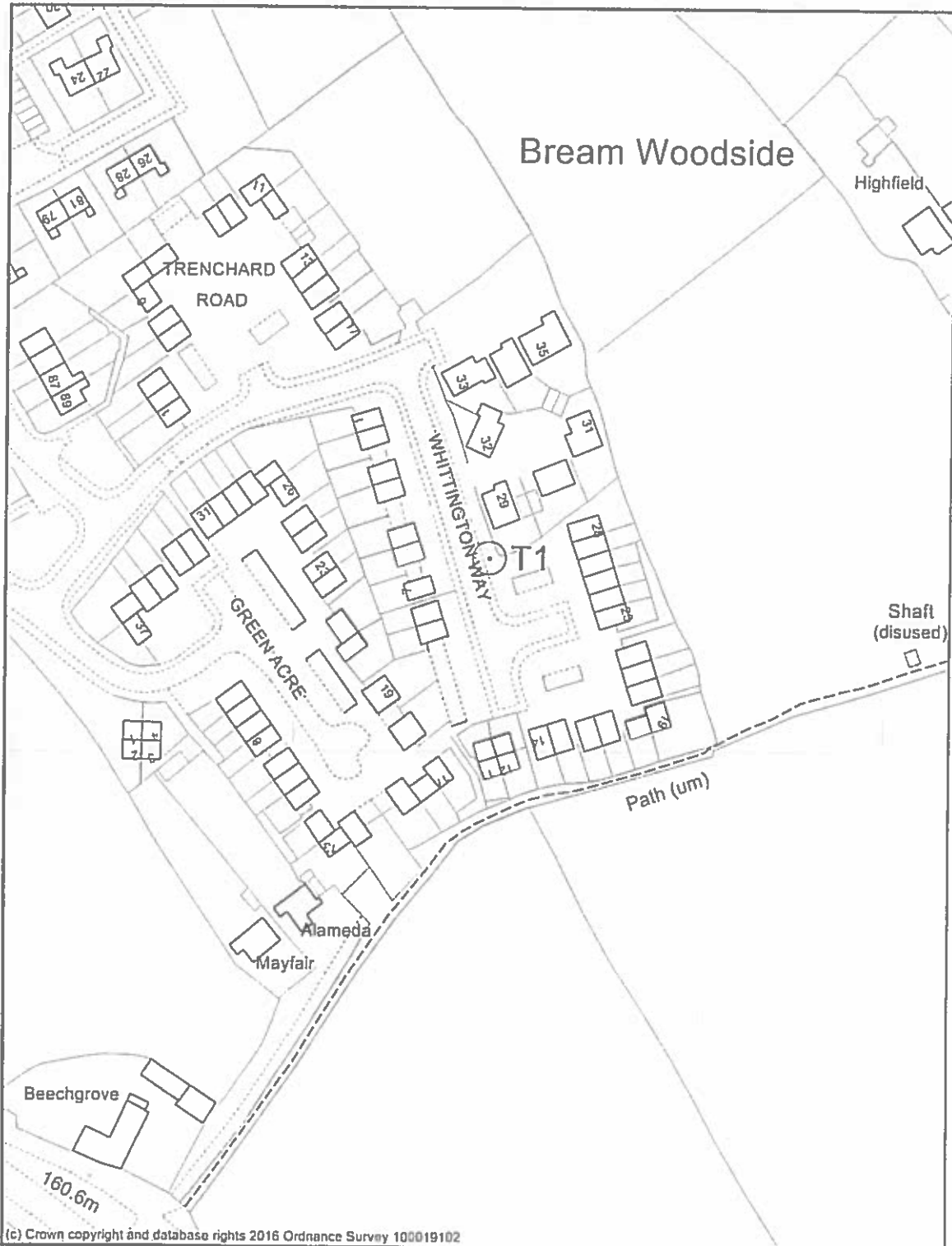
**Recommendation**

That provisional Tree Preservation Order DFTPO222 Whittington Way, Bream be made in the event of refusal of planning application P1255/16/FUL.

*Strategy!*  
~~Planning and Housing~~ Group Manager: *Plang and Hoong*.....

Agreed / Disagree\*: *C*..... Date: *27/10*.....

Appendix A – TPO Plan



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Tree Preservation Order  
DFTPO222  
Whittington Way, Bream

Scale: 1:1250

26 October 2016





Appendix B – Photographs



27<sup>th</sup> October 2016

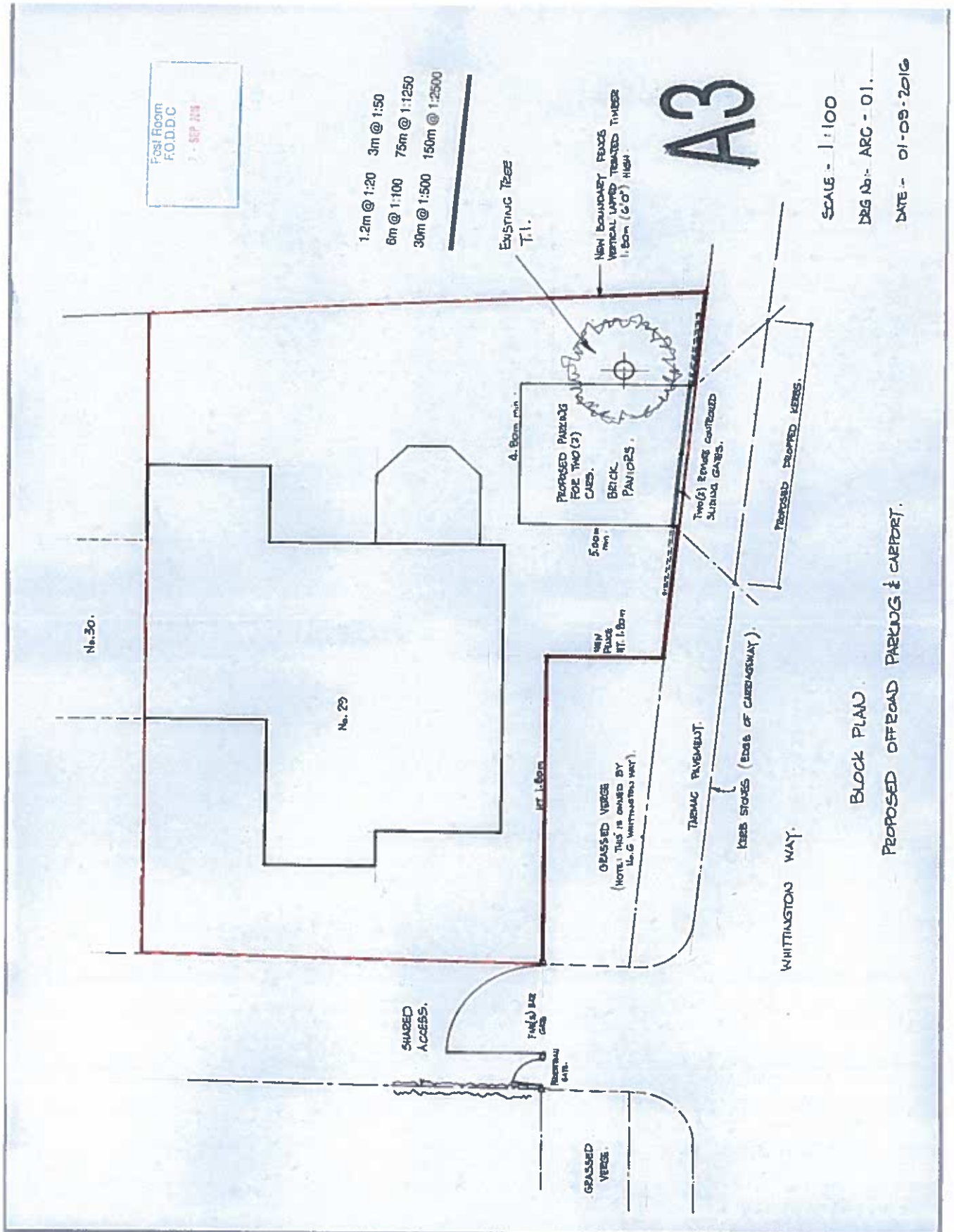


27<sup>th</sup> October 2016

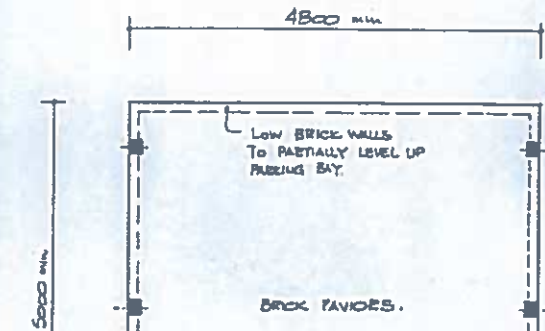


27<sup>th</sup> October 2016

Appendix C – Proposed Plans P1255/16/FUL



27<sup>th</sup> October 2016

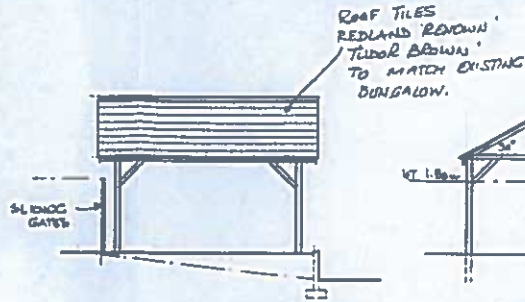


FLOOR PLAN OF PARKING BAY & CAR PORT

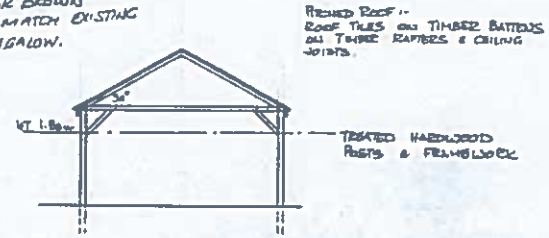
SCALE - 1:50.

MAX. 50mm (2") TREATED HARDWOOD POSTS 1500SP EQUALLY SPACED.

VERTICALLY LAPPED TREATED TIMBER BOUNDARY FENCINGS @ HT. 1.80m.



SIDE ELEVATIONS  
NOTE! BOTH ARE IDENTICAL.



FRONT & REAR ELEVATIONS  
NOTE! BOTH ARE IDENTICAL.

Post Room  
F.O.D.D.C  
7 - SEP 2016

# A3

- 1.2m @ 1:20
- 3m @ 1:50
- 6m @ 1:100
- 75m @ 1:1250
- 30m @ 1:500
- 150m @ 1:2500

SCALES - 1:50 & 1:100

DWG No - ARC - 02 .

DATE - 01 - 09 - 2016 .

PROPOSED PARKING BAY & CARPORT.