

TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO232 – Cone Valley, Woolaston

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 DFTPO232, Cone Valley, Woolaston

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.

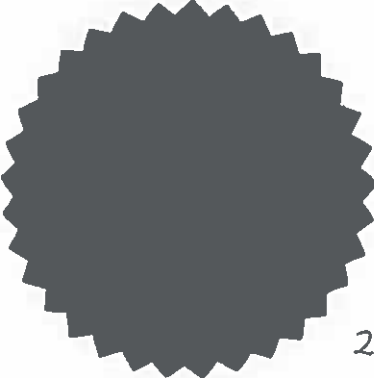
3. Application to trees to be planted pursuant to a condition

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 16 day of November 2017

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 curves.

2043

CONFIRMATION OF ORDER

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL without modification on the 28 day of March 2018

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

SCHEDULE 1
SPECIFICATION OF TREES

Trees specified individually
(Encircled in black on the map)

Reference on Map	Description	Situation
-	-	-

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

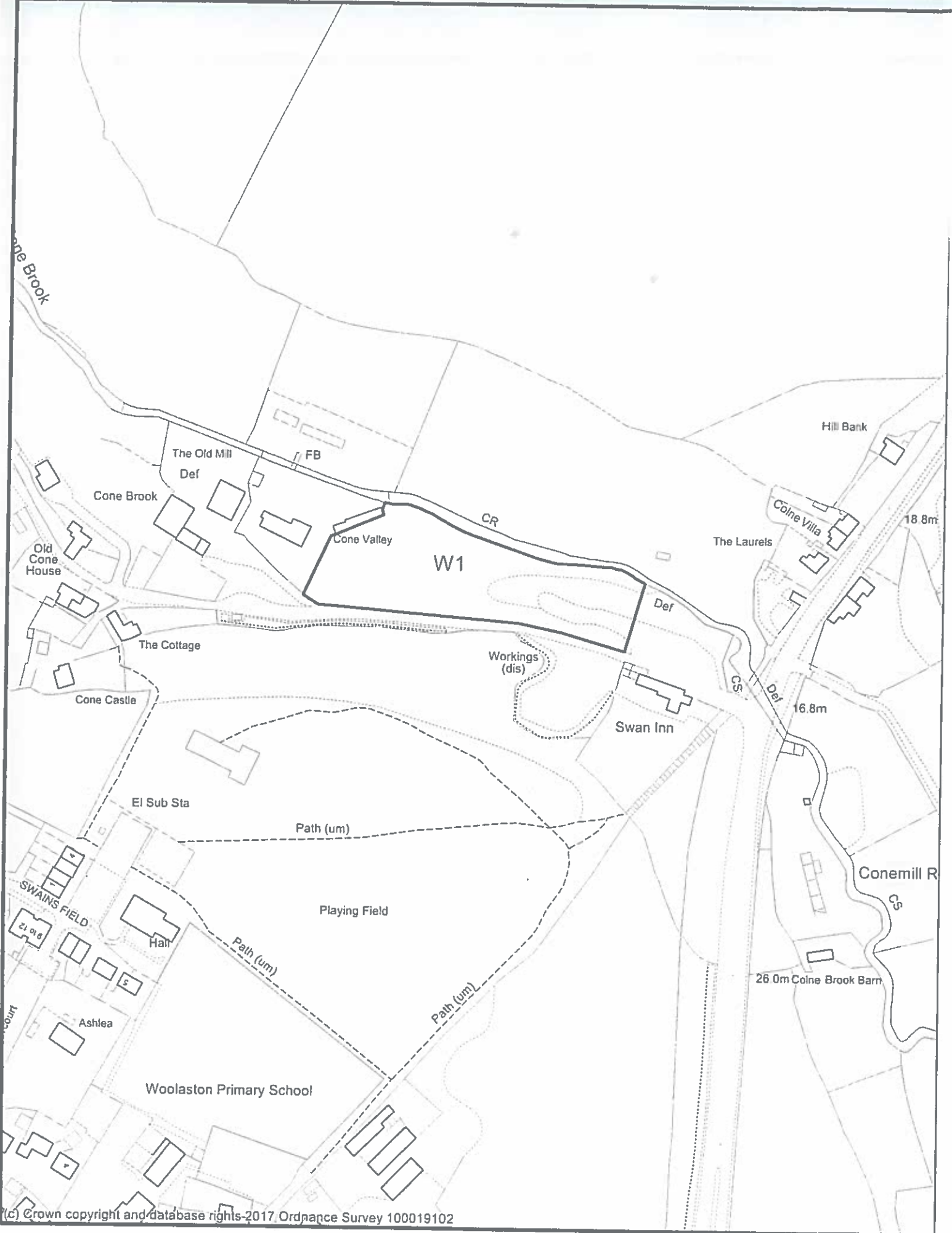
Reference on Map	Description	Situation
-	-	-

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
W1	Ash, Alder, Oak, Beech Field Maple, Sycamore, Willow, Hawthorn, Hazel	SO 359774, 200465



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**Tree Preservation Order
DFTPO232
Cone Valley, Woolaston**

Scale: 1:2000



Report for a Tree Preservation Order

DFTPO232 Cone Valley, Woolaston

Introduction

A Tree Preservation Order is recommended for one woodland at Cone Valley, Woolaston (see Appendix A – B for TPO plan and photographs). The trees should be referred to as:

W1 – ash, alder, oak, beech, field maple, sycamore, willow, hawthorn, hazel

Application P1033/17/FUL is pending consideration for the erection of four timber cabins (holiday rentals), access and parking, storage building, timber walkways and landscaping. The application site and surrounding wooded area forms a part of an important wider wooded valley and is therefore considered to be an important landscape feature.

Desk Based Assessment

Current application P1033/17/FUL seeks full permission for a new development for holiday use within part of a wooded stream valley, the stream running to the north of the site. The woodland is not designated ancient woodland however the ecology report submitted with the planning application identifies characteristics of ancient woodland.

A lane and public right of way run past W1.

The application seeks to retain trees on the application site with the exception of two dead trees in the middle of the site. Whilst some measures have been proposed in an attempt to safe guard retaining trees and their root protection areas, the extent of impacts from the proposals on the wooded site is currently unknown as there is currently insufficient evidence to assess the impacts.

The proposed access improves an existing access on site, in very close proximity to retaining trees.

Aerial imagery shows some previous vehicular activity within the area identified W1.

Site Based Assessment

Cone Valley is characterised by the wooded stream valley within which the application site sits. The lane is well treed on both sides and on the north side of the lane these are large mature broadleaf trees.

Some activity has previously been undertaken on the application site to establish an access into the site. The access is very close to the stems of existing retaining trees, and is proposed to be widened. There are two dead mature trees in the middle of the site, potentially as a result of previous ground works.

Consultation Responses

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

Discussion

Visibility: Trees in the southern part of W1, bordering the lane are dominant along the lane and public right of way leading through Cone Valley. Other trees within W1 are viewed in the context of the surrounding wooded valley.

Individual Impact: This is semi-natural broadleaved woodland with ground flora indicative of ancient woodland.

Wider Impact: The wood provides an important contribution to the wider stream valley.

Expediency: Application P1033/17/FUL is currently pending consideration. The impact of the proposals on existing woodland is not currently clear.

A TPO is considered expedient.

Conclusion of Discussion: One woodland area considered to be of high amenity value is recommended for protection. Trees on the other side of the stream and opposite side of the lane also contribute to the wider stream corridor and wooded valley however it is not currently considered expedient to add these to the order.

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 trees. A felling license would be required for the removal of larger quantities of timber.

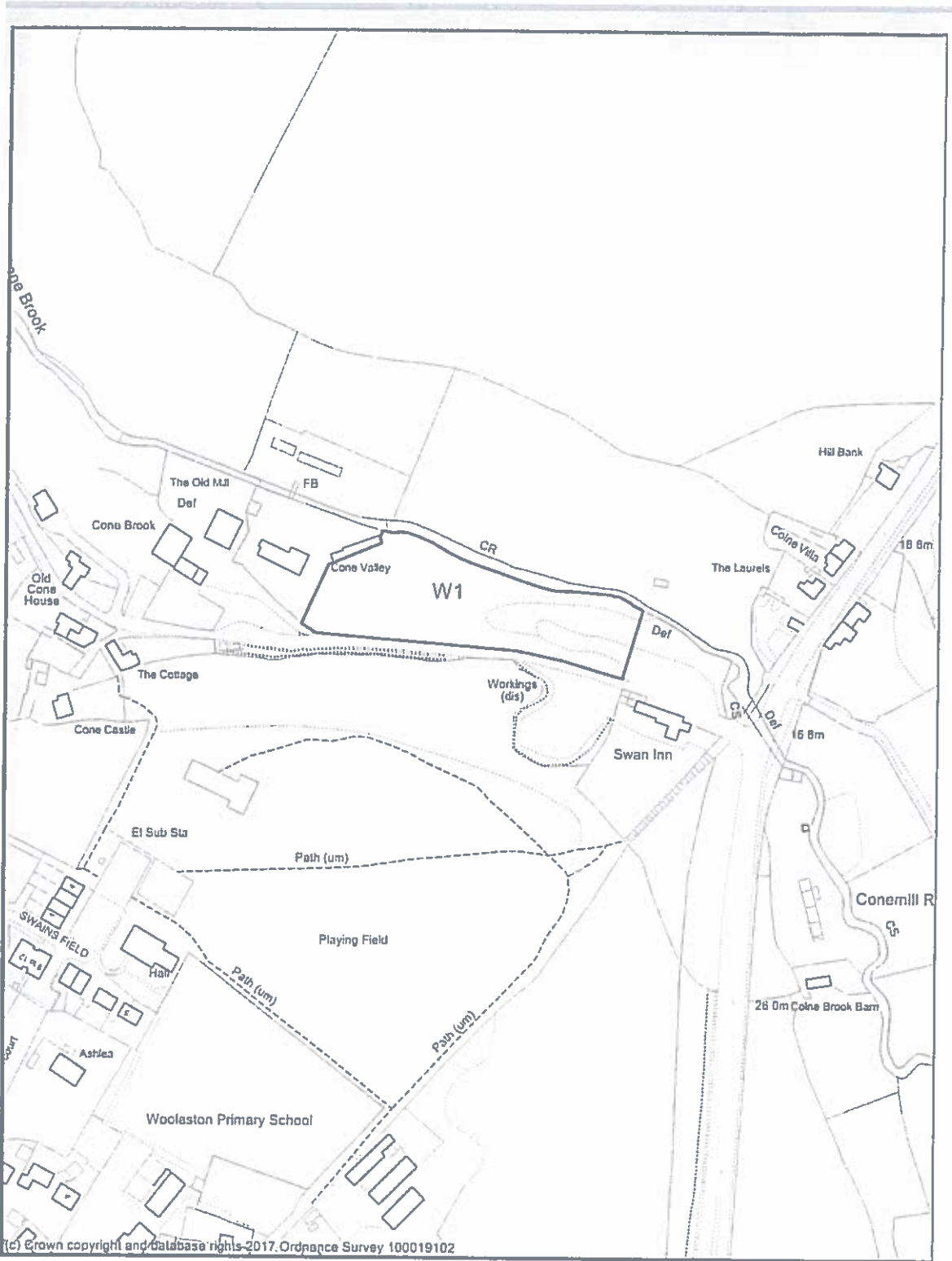
Apply conditions to the planning application in the event of consent. These may ensure short term protection of trees within the application site only, upon implementation of permission. It is not currently considered that sufficient information has been provided in the application to evidence that trees will not be affected by the proposals.

Recommendation

That provisional Tree Preservation Order DFTPO232 Cone Valley, Woolaston is made.

Strategic Group Manager 

Agreed / ~~Disagree~~* Date: 13/11/17.



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Scale: 1:2000



Appendix B – Photographs





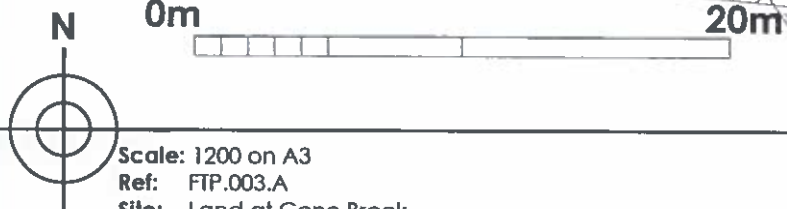
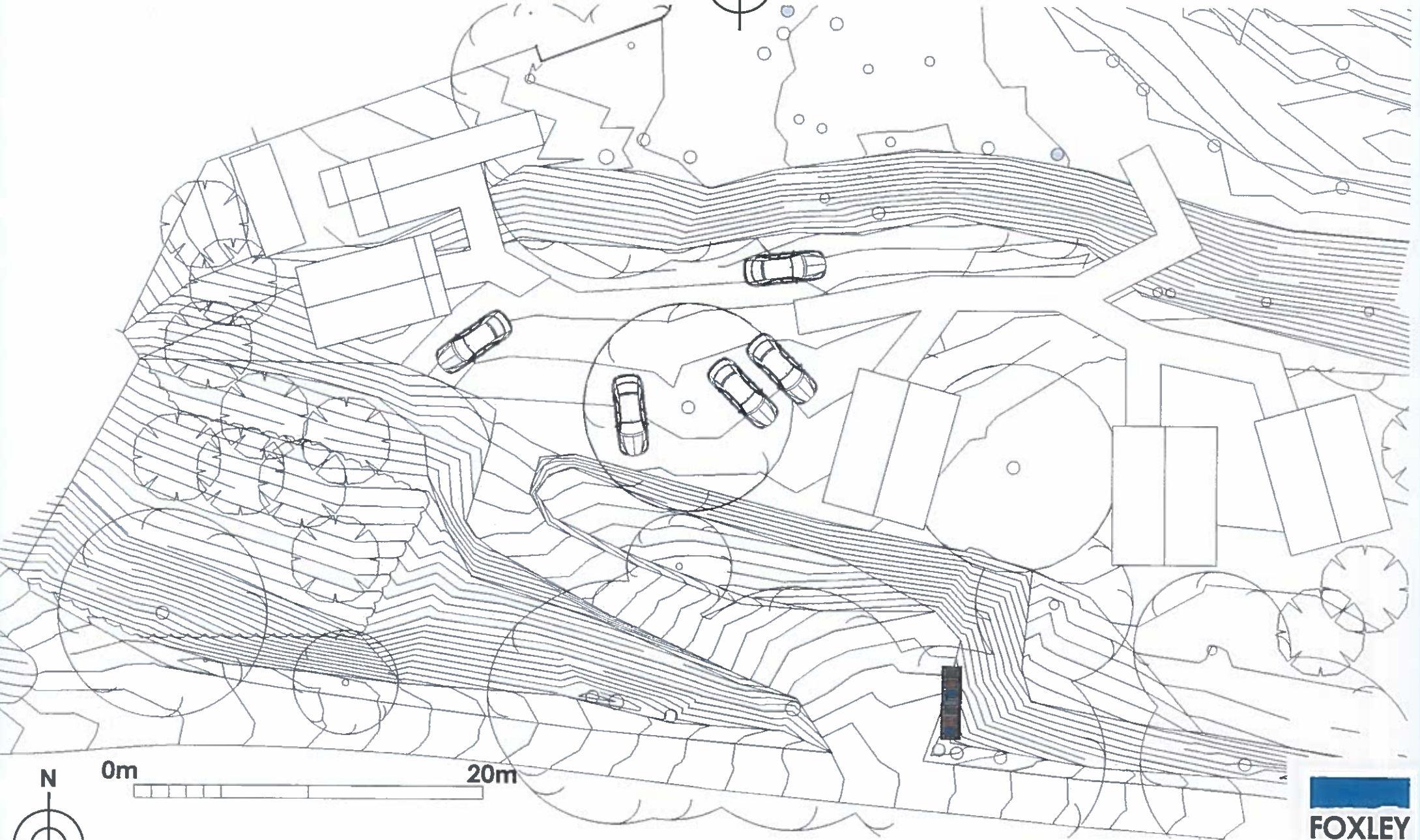
Access for P1033/17/FUL application site





Appendix C – P1033/17/FUL Site Plan

Proposed Site Plan



Scale: 1200 on A3
Ref: FTP.003.A
Site: Land at Cone Brook

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