

## TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO229 – West End Farm and Townsend, Ruardean

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 DFTPO229, West End Farm and Townsend, Ruardean

### 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 25 day of September 2017

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

Affixed in the presence of

*S. A. [Signature]*



2026

**CONFIRMATION OF ORDER**

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL without modification on the 14 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
T1	Copper Beech	SO616173 (361506, 217299)
T2	Copper Beech	SO616173 (361521, 217331)
T3	Copper Beech	SO616173 (361528, 217346)
T4	Sycamore	Adjacent to bus shelter, Townsend
T5	Ash	Tik Hai

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

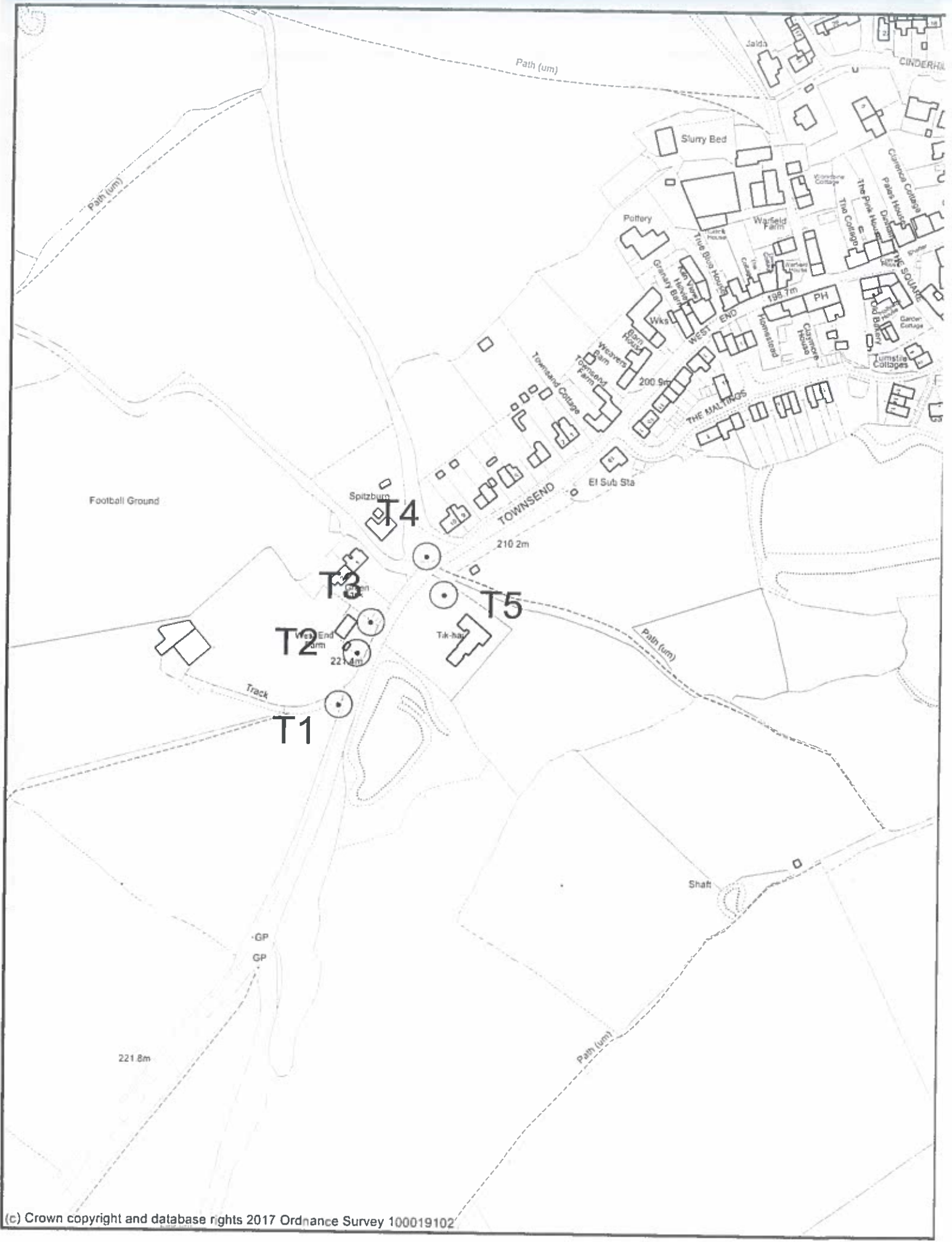
Reference on Map	Description	Situation
-	-	-

**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
-	-	-

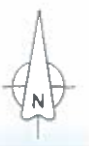


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**Tree Preservation Order  
DFTPO229  
West End Farm and Townsend**

Scale: 1:2500



# **Report for a Tree Preservation Order**

**DFTPO229 West End Farm and Townsend, Ruardean**

## **Introduction**

A Tree Preservation Order is recommended for three Copper Beech trees, one Sycamore tree and one Ash tree in Ruardean (see Appendix A – B for TPO plan and photographs). The trees should be referred to as:

- T1 – Copper Beech
- T2 – Copper Beech
- T3 – Copper Beech
- T4 – Sycamore
- T5 - Ash

Application P0863/17/FUL is pending consideration for the provision of two log cabins for holiday tourism use and associated works and it is currently unclear whether T1 will be impacted by the proposal. These trees are important features of Ruardean.

## **Desk Based Assessment**

Current application P0863/17/FUL proposes two log cabins at West End Farm. Further information is required/being evaluated in respect of the access from the highway. Copper Beech tree T1 is situated at the access, adjacent to the highway and could potentially be impacted by the proposal subject to whether a suitable visibility splay could be achieved without the tree's removal.

The tree is within the Wye Valley AONB.

## **Site Based Assessment**

Copper Beech tree T1 stands at the access to the application site, just behind a roadside hedgerow. A public footpath runs past the tree from the highway. It is one of a line of three Copper Beech trees leading into/out of the village of Ruardean. These trees work together to provide a valuable feature.

At the end of this line of trees is a large mature Sycamore tree adjacent to a bus shelter, and a large mature Ash tree opposite the shelter and these trees also contribute, with the Copper Beech trees, to the entrance to the village.

A second Sycamore tree, at a bus shelter at Varnister Road at the eastern end of Ruardean has also been identified to be of amenity value in that it is a similar feature of merit to T4 of the recommended TPO.

## **Consultation Responses**

An enquiry was made with Ruardean Parish Council regarding the ownership of the two Sycamore trees. The Parish Council owns the Sycamore tree at Varnister Road and therefore this tree is considered to be under good management and has not

been included in the recommended TPO.

**Discussion**

**Visibility:** The trees are prominent within and on the edge of the settlement of Ruardean. All trees can also be viewed from public rights of way.

**Individual Impact:** Copper Beech trees T1 and T2 are of a more unique form, in particular T1 which has an unbalanced crown. Copper Beech tree T1-T3 are considered to be semi mature and of a good size, with T3 demonstrating a more typical form. Sycamore tree T4 and Ash T5 are large mature trees and Sycamore T4 demonstrates good vitality.

**Wider Impact:** Trees T1-T5 offer a collection of mature features to the edge of Ruardean, contributing to the interrelationship between the open countryside and settlement. Trees T1-T3 are also within and contribute to the Wye Valley AONB.

**Expediency:** Application P0863/17/FUL is currently pending consideration, awaiting further information on the acceptability of the existing access. Tree T1 may be under threat from the development if alterations to the access are required and may become an obstacle to the proposed development in such an event.

The trees recommended for protection are considered to interact well with one another.

A TPO is considered expedient.

**Conclusion of Discussion:** Three Copper Beech trees, one Sycamore tree and one Ash tree are considered to be of high public amenity value and merit protection.

**Alternatives to placing a Tree Preservation Order**

Do nothing. Dependent on the outcome of planning application P0863/17/FUL, Copper Beech T1 may be affected or removed further to planning proposals. The tree may be safeguarded via condition, providing short term protection only.

The Council's permission will not be required prior to works to or the removal of the other trees in question.

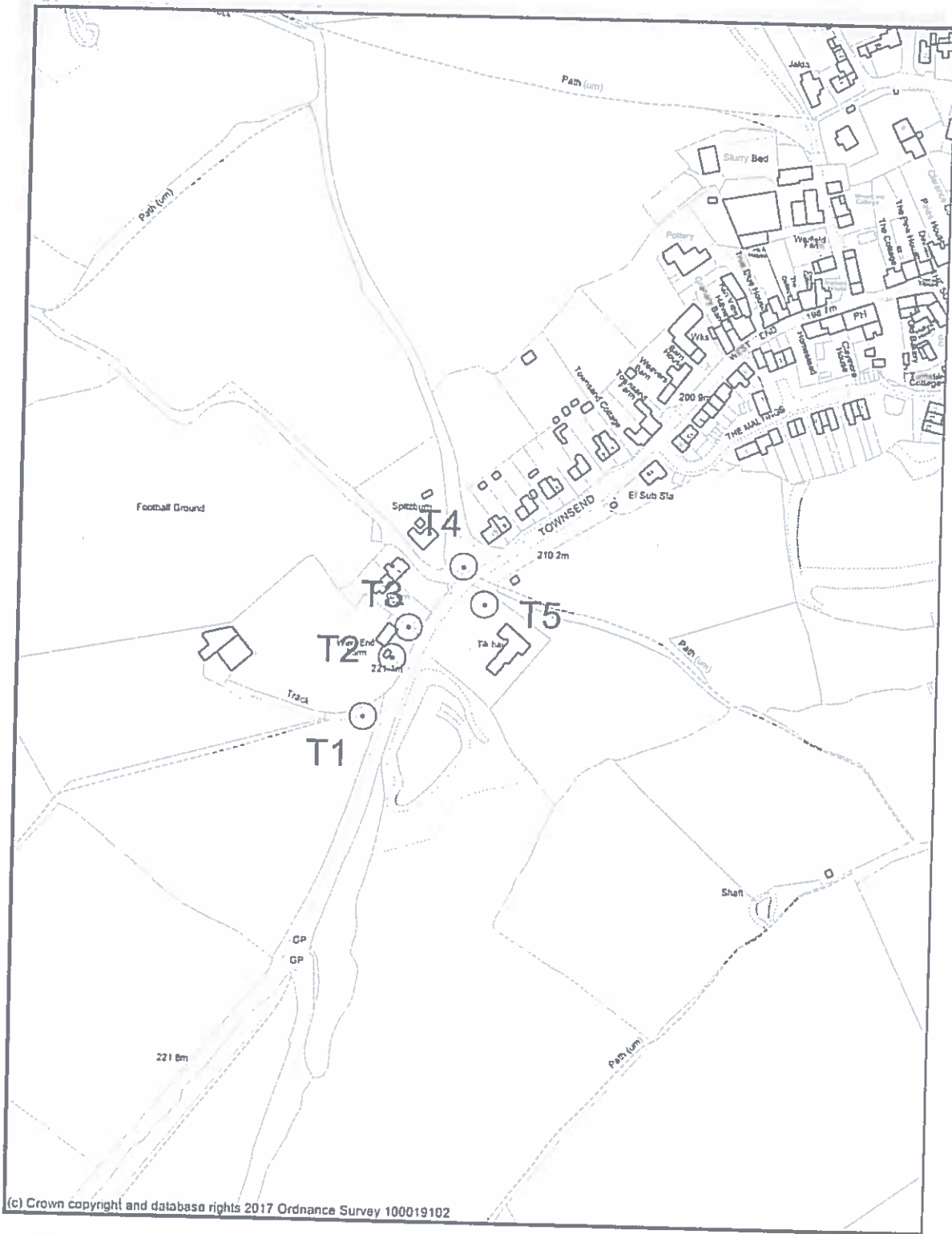
**Recommendation**

That provisional Tree Preservation Order DFTPO229 West End Farm and Townsend, Ruardean is made.

Strategic Group Manager:  .....

Agreed / ~~Disagree~~\*: ..... Date: 14/9 .....

Appendix A – TPO Plan



**Tree Preservation Order  
DFTPO229  
West End Farm and Townsend**

Scale: 1:2500

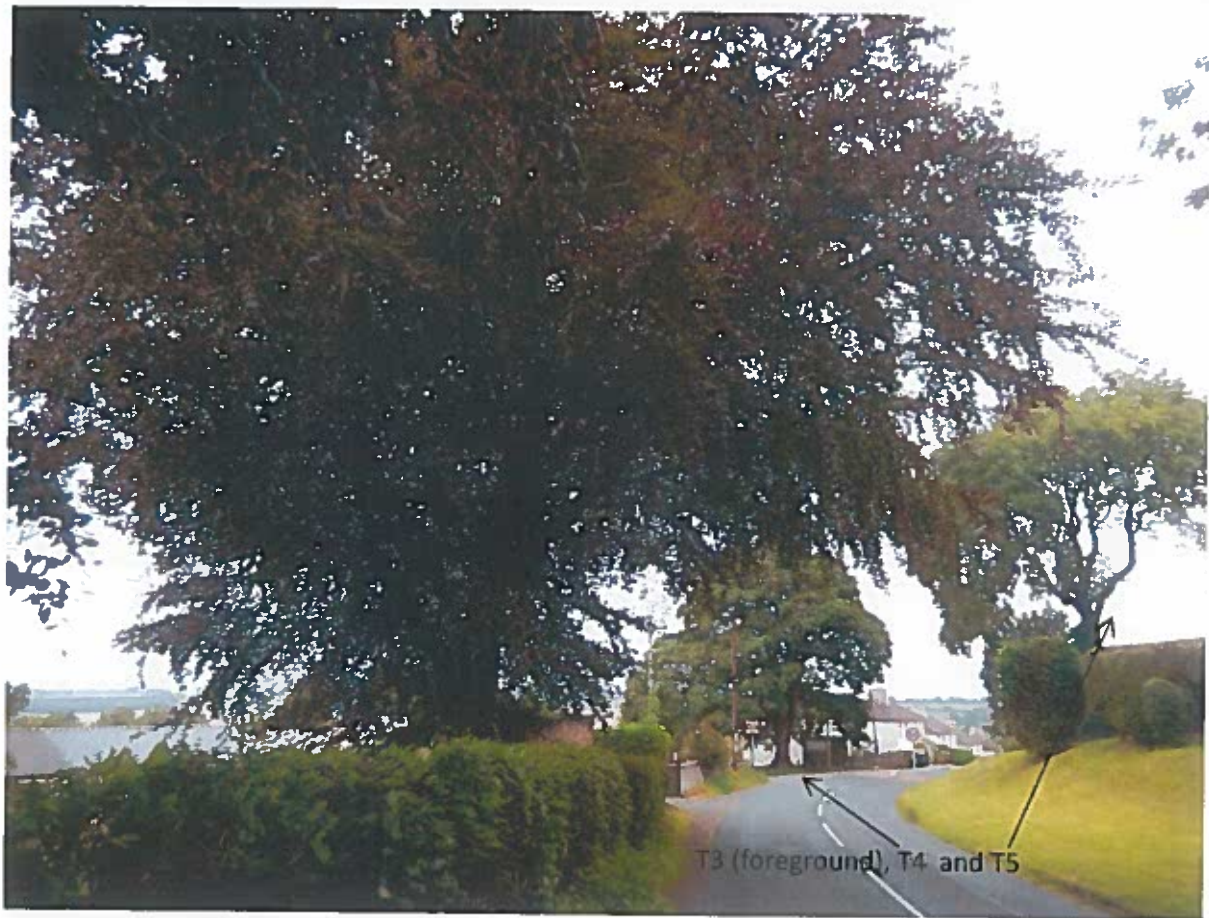




Appendix B – Photographs



T1 and T2&3 behind



T3 (foreground), T4 and T5



T4



T4



