

## TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO223 – Whitecroft, Scovill

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 DFTPO223, Whitecroft, Scovill

### 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.

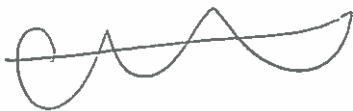
### 3. Application to trees to be planted pursuant to a condition

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 28 day of February 2017

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

Affixed in the presence of



Legal Team Manager



**CONFIRMATION OF ORDER**

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL without modification on the 4th day of August 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

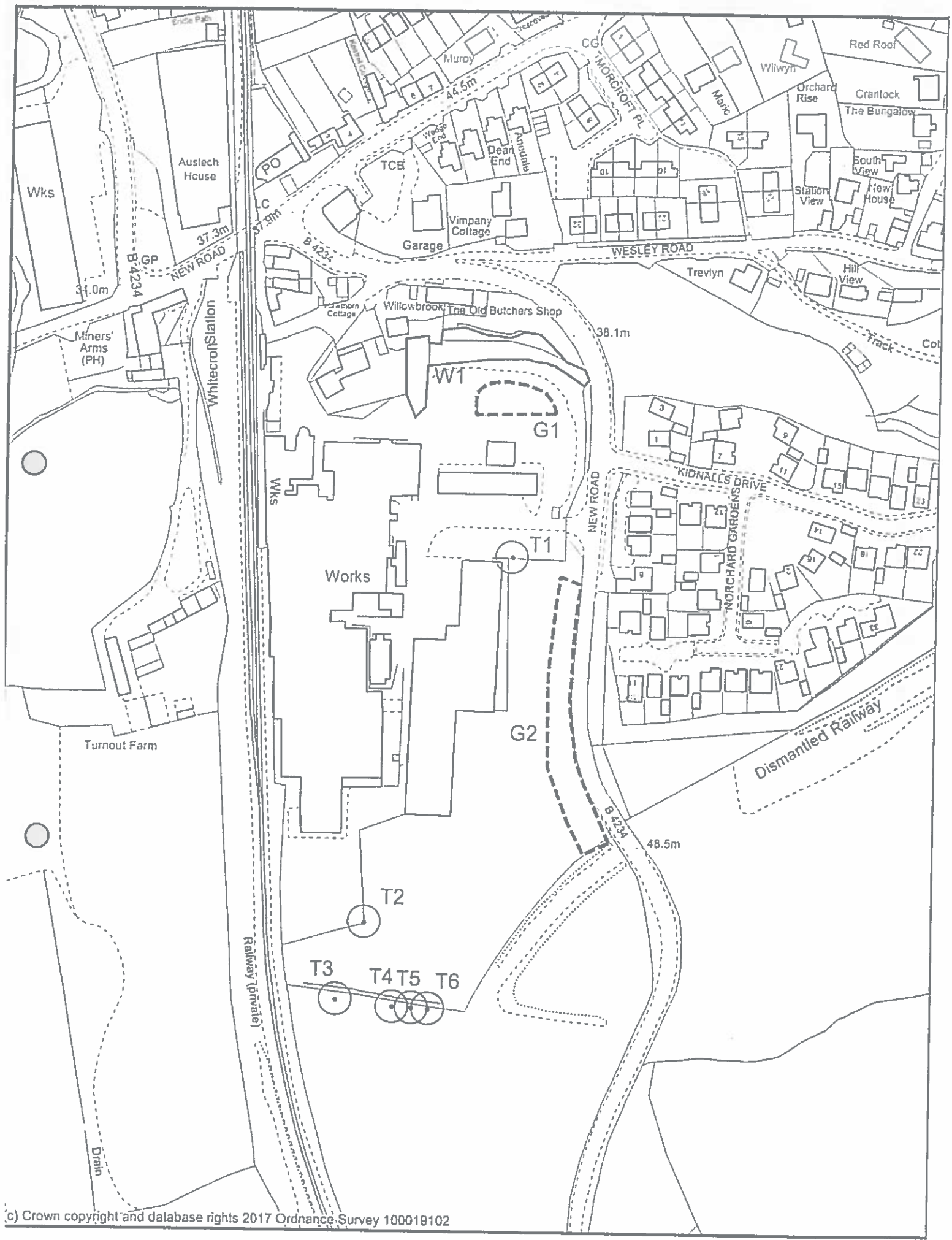
**REVOCACTION OF ORDER**

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  
DFTPO223  
Whitecroft Scovill**

Scale: 1:2000

27 February 2017



**SCHEDULE 1  
SPECIFICATION OF TREES**

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

Reference on Map	Description	Situation
T1	Acer	SO620061 (362097, 206133)
T2	Oak	SO620059 (362034, 205976)
T3	Oak	SO620059 (362022, 205943)
T4	Oak	SO620059 (362047, 205940)
T5	Oak	SO620059 (362055, 205940)
T6	Oak	SO620059 (362063, 205940)

**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	Situation trees in the group)
G1	2 Acer and 2 Birch	SO621061 (362095, 206202)
G2	5 Cherry, 8 Alder, 2 Oak, 1 Ash and 2 Lime	Eastern site boundary with New Road

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

Reference on map	Description	Situation
W1	All species	North of Whitecroft Scovill site

# **Report for a Tree Preservation Order**

**DFTPO223 Whitecroft Scovill**

## **Introduction**

A Tree Preservation Order is recommended for six individual trees, two groups of trees and one woodland on land at Whitecroft Scovill, Whitecroft (see Appendix A – B for TPO plan and photographs).

A request has been made for a Tree Preservation Order on trees at Whitecroft Scovill as the requestor understands that the current tenants/owners will soon be moving from the property and that there is an intention of residential development on the site.

## **Desk Based Assessment**

There are a number of trees and groups of trees on and surrounding the site.

The site is allocated for mixed housing and employment use in the allocations plan (AP98).

Whitecroft Scovill is an industrial complex with a number of large buildings, car parking and some open space to the south of the site.

A public right of way runs through the site to the south of the buildings from the highway, southwest through the field and crossing the railway to the west of the site.

The requestors state that the trees are fairly well established in size and age and could be under threat from future residential construction. The requestors identified one group of trees and one single tree for protection.

## **Site Based Assessment**

The trees the subject of the request are prominent from New Road and are considered to be of high amenity value currently, and will provide amenity value to any new development.

A number of other trees and tree groups on and surrounding the site offer high amenity value and/or are considered important in the consideration of the development on the site. These include trees visible in the field and on the southern field boundary from the PROW, a belt of trees adjacent to New Road and a belt of trees to the north of the site which help to assimilate it into the surrounding landscape character.

## **Consultation Responses**

The Council received a request for a Tree Preservation Order on some of the trees on site. No consultations have been made in relation to making a new TPO.

**Discussion**

**Visibility:** G1, T1, W1 and G2 are prominent from New Road. G2 and T2-T6 are prominent from PROW RWD/13A/1 running southwest across the site from New Road to the railway line. The PROW runs right past T2.

**Individual Impact:** The trees are of varying sizes and species. It appears as though some of the trees had been planted as part of a landscaping scheme for the site.

**Wider Impact:** The trees contribute to the landscaping of the Scovill site, offering public amenity value from a highway and PROW. The trees will contribute a sense of amenity and maturity to any new development. W1 and G2 will aid the assimilation of the site and any new development of it, into the surrounding landscape character.

**Expediency:** The site is allocated under AP98 of the Allocations Plan for mixed employment and housing. It is likely therefore that this site will come forward in a planning application in the future. The requestors understand that the current tenants/owners are moving out of the site in late March 2017.

A TPO is considered expedient.

**Conclusion of Discussion:** Six individual trees, two groups of trees and one woodland are considered to be prominent features of high amenity value and potential valuable features for a new development if brought forward.

**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. If a planning application comes forward seeking development of the site and the trees are present, a landscaping condition could be placed on any permission, however such conditions usually require retention of the scheme for a period of only five years.

**Recommendation**

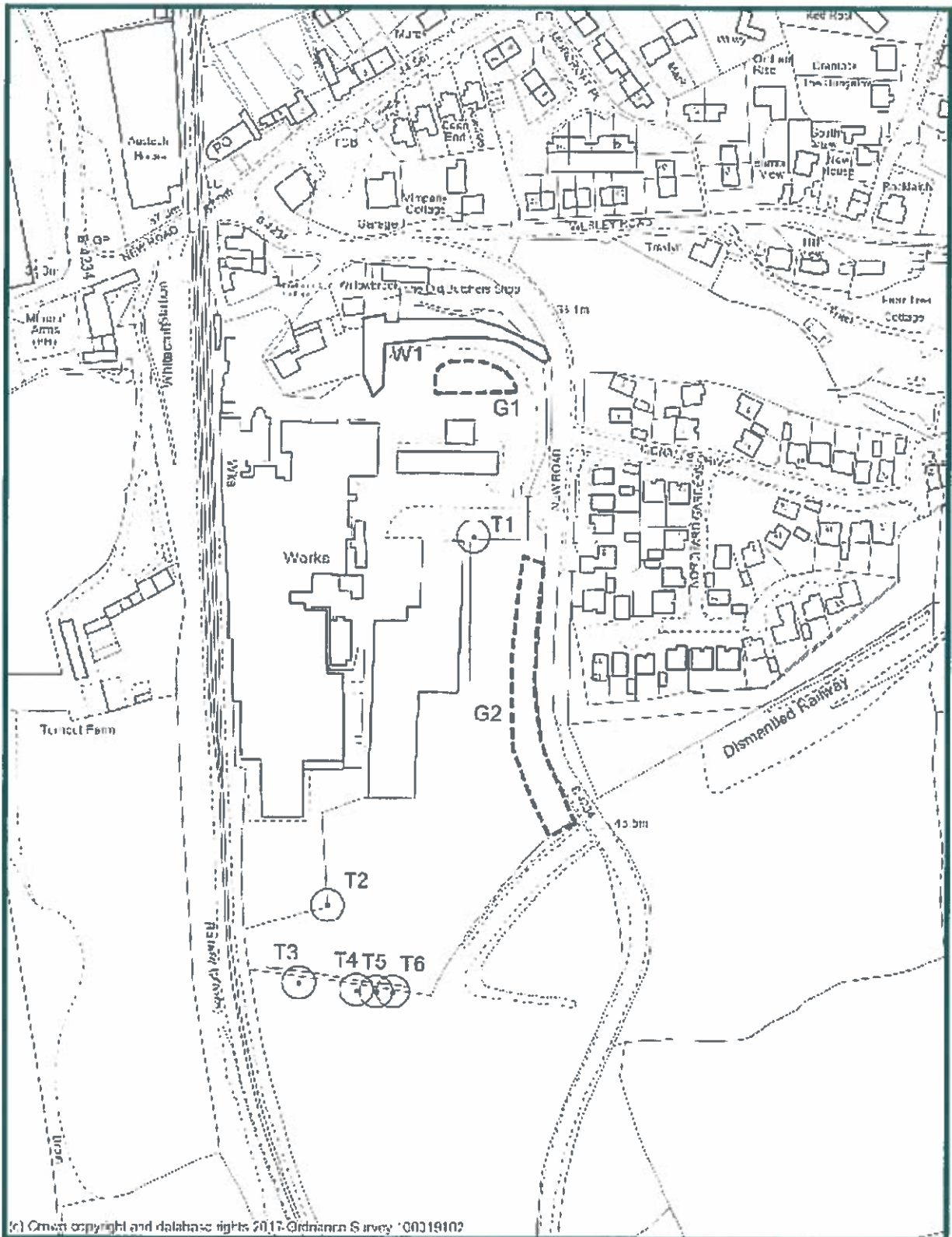
That provisional Tree Preservation Order DFTPO223 Whitecroft Scovill be made.

Strategic Group Manager: 

Agreed / ~~Disagree~~\*: ..... Date: 26/1/17 .....



Appendix A – TPO Plan



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**Tree Preservation Order  
DFTPO223  
Whitcroft Scovill**

Scale: 1:2000

28 January 2017



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Appendix B - Photographs





From PROW

T3-T6



T2



Part of G2 from PROW









W1