

TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO227 – Land at Camomile Green, Lydbrook

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 DFTPO227, Land at Camomile Green, Lydbrook

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 3 day of August 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 circular loop followed by a horizontal line that ends in a small upward curve.

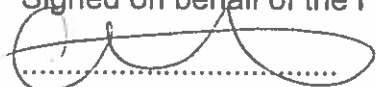
CONFIRMATION OF ORDER

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL without modification on the 10 day of January 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	Pear	SO603150 (360394, 215087)

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

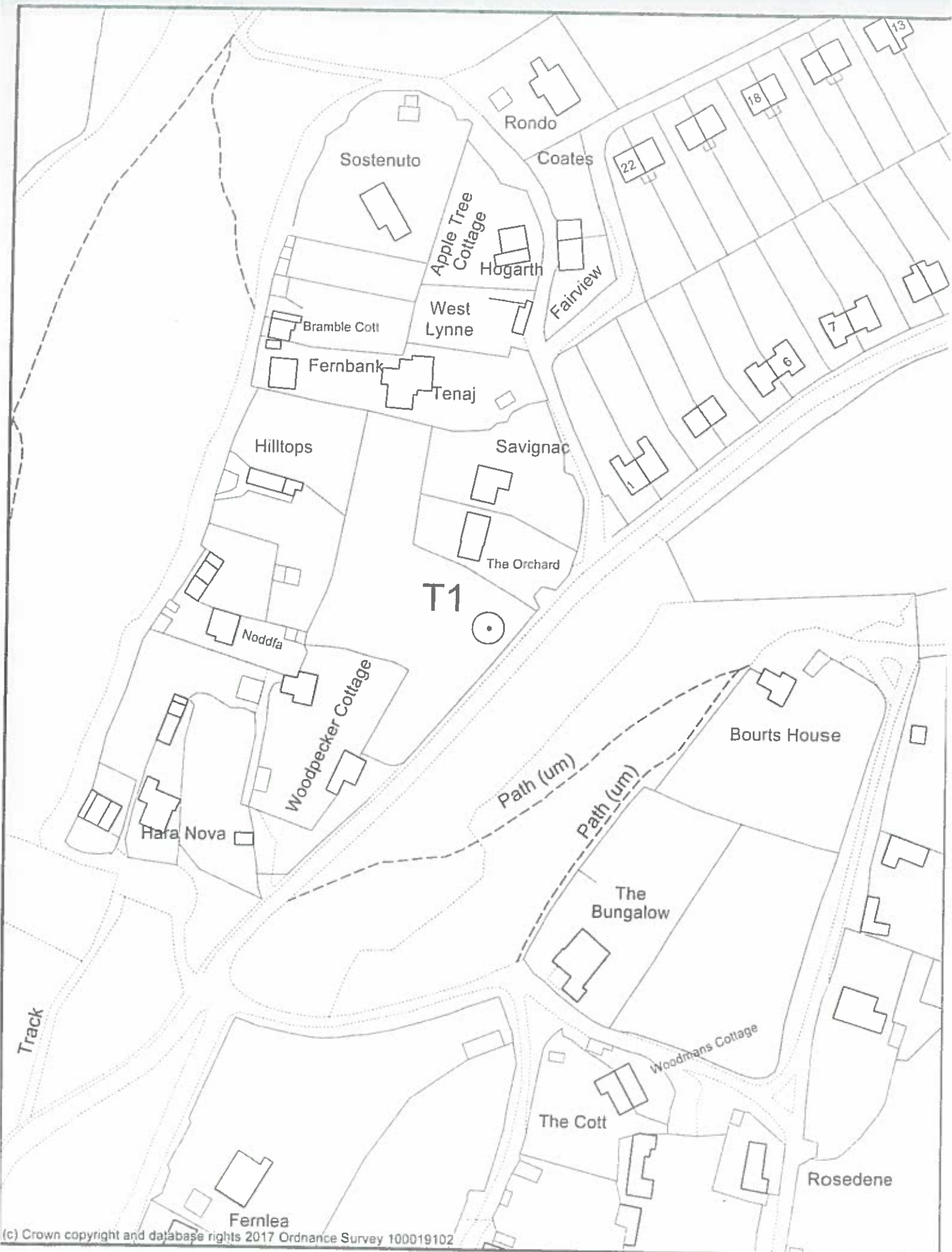
Reference on Map	Description	Situation
-	-	-

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

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

Woodlands
(within a continuous black line on the map)

Reference on map	Description	Situation
-	-	-



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**Tree Preservation Order
DFTPO227
Land At Camomile Green**

Scale: 1:1250



Report for a Tree Preservation Order

DFTPO227 Land at Camomile Green, Lydbrook

Introduction

A Tree Preservation Order is recommended for one pear tree on land at Camomile Green, Lydbrook (see Appendix A – B for TPO plan and photographs). The tree should be referred to as:

T1 – pear

A request has been received for a TPO on one pear tree which was submitted due to a concern over the sale of the land and possible intentions to build on the land.

Desk Based Assessment

The tree is located on land designated within the Allocations Plan as an important open area, within a locally distinctive area.

Site Based Assessment

The tree is adjacent to the highway on the eastern side of the site and is the only tree near the road frontage of this site.

For sale and sold signs were present on site.

Consultation Responses

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

A request has been made for the TPO as it is perceived that the area of land upon which the tree stands, currently designated as an important open area, is likely to have an application made to planning for building plots. The meadow is supposedly being sold and is 'under offer' as two plots. It is stated that a gate onto the road has been forced by the owner where no previous gateway existed. Concern has been expressed that the tree will be felled very soon as it would create a problem for building development.

Discussion

Visibility: The tree is prominent from the highway in Camomile Green as it stands near the road frontage of the site. It is also visible to properties surrounding the site.

Individual Impact: This is a mature pear tree of a good size and is prominent in its own right.

Wider Impact: The tree is an important feature of a designated important open area and locally distinctive area. It also contributes a sense of maturity to the site.

Expediency: The site is being sold. It is also said that recently a gated access to the site from the highway has been created.

A TPO is considered expedient.

Conclusion of Discussion: One pear tree at Camomile Green, Lydbrook is considered to be of significant public amenity value and to therefore 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, 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.

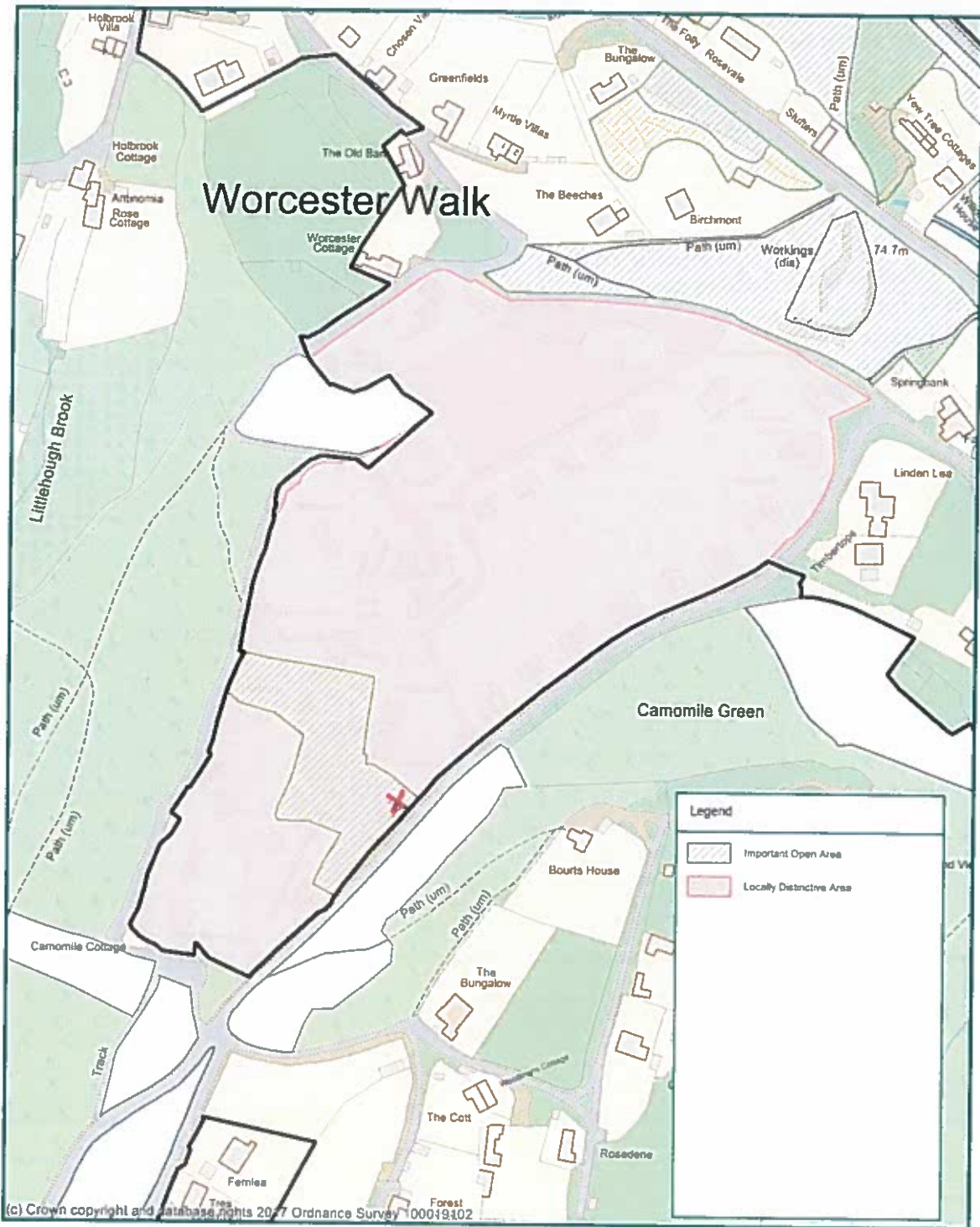
Recommendation

That provisional Tree Preservation Order DFTPO227 Land at Camomile Green, Lydbrook is made.

Strategic Group Manager: *P.P. E. J. Hughes*.....

Agreed / ~~Disagree~~..... Date: *1 August 2017*....

Appendix A – Location of tree



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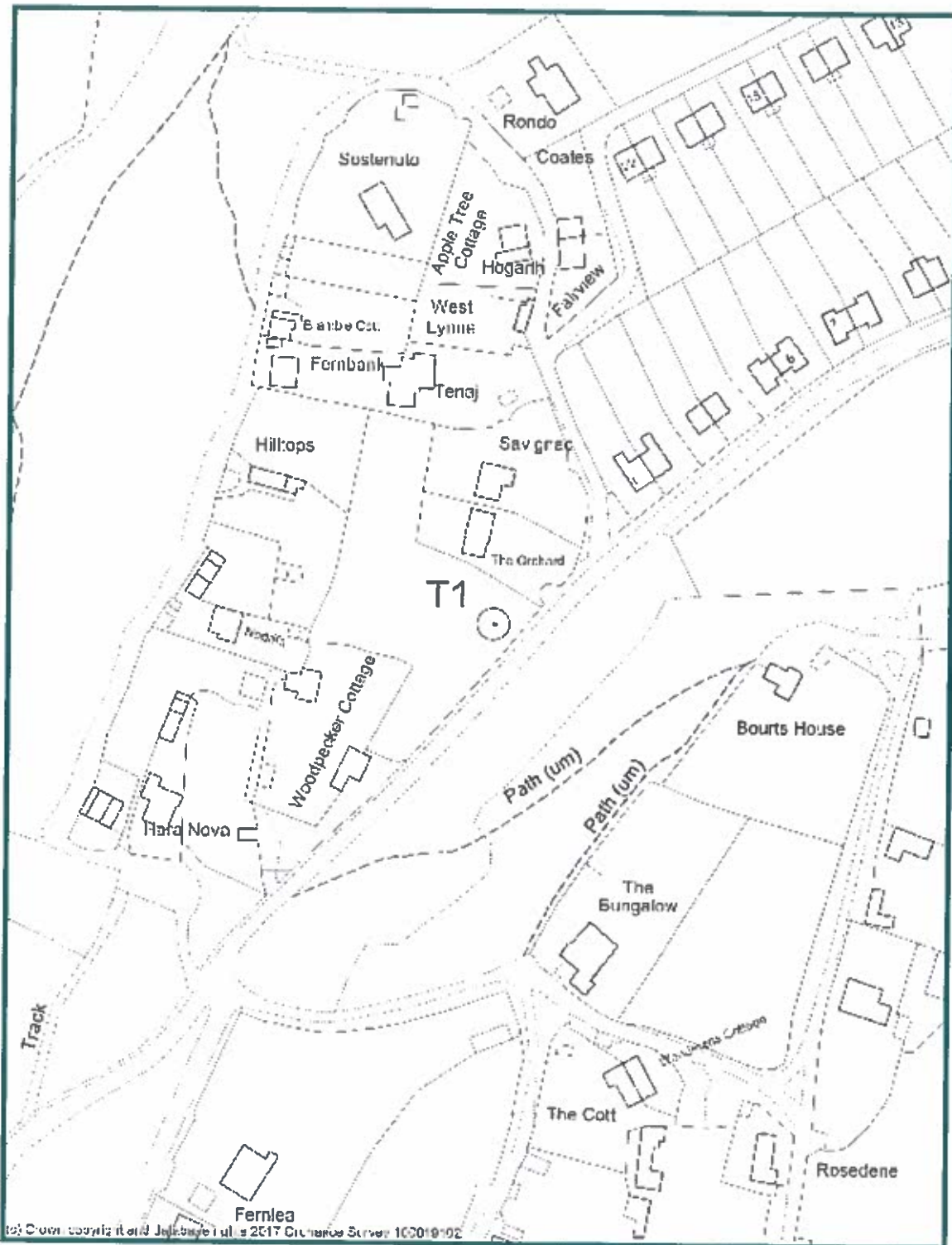
01 August 2017

0 25 50 metres



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Appendix B – TPO Plan



**Tree Preservation Order
DFTPO227
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Appendix C – Photographs



