

TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO257 – Land to the North of 14 Loop Road Beachley

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 DFTPO257 Land to the North of 14 Loop Road Beachley

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.

CONFIRMATION OF ORDER

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

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

REVOCAION 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

Dated this 23rd day of February 2021

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

Affixed in the presence of



Suppl...

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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
-	-	-

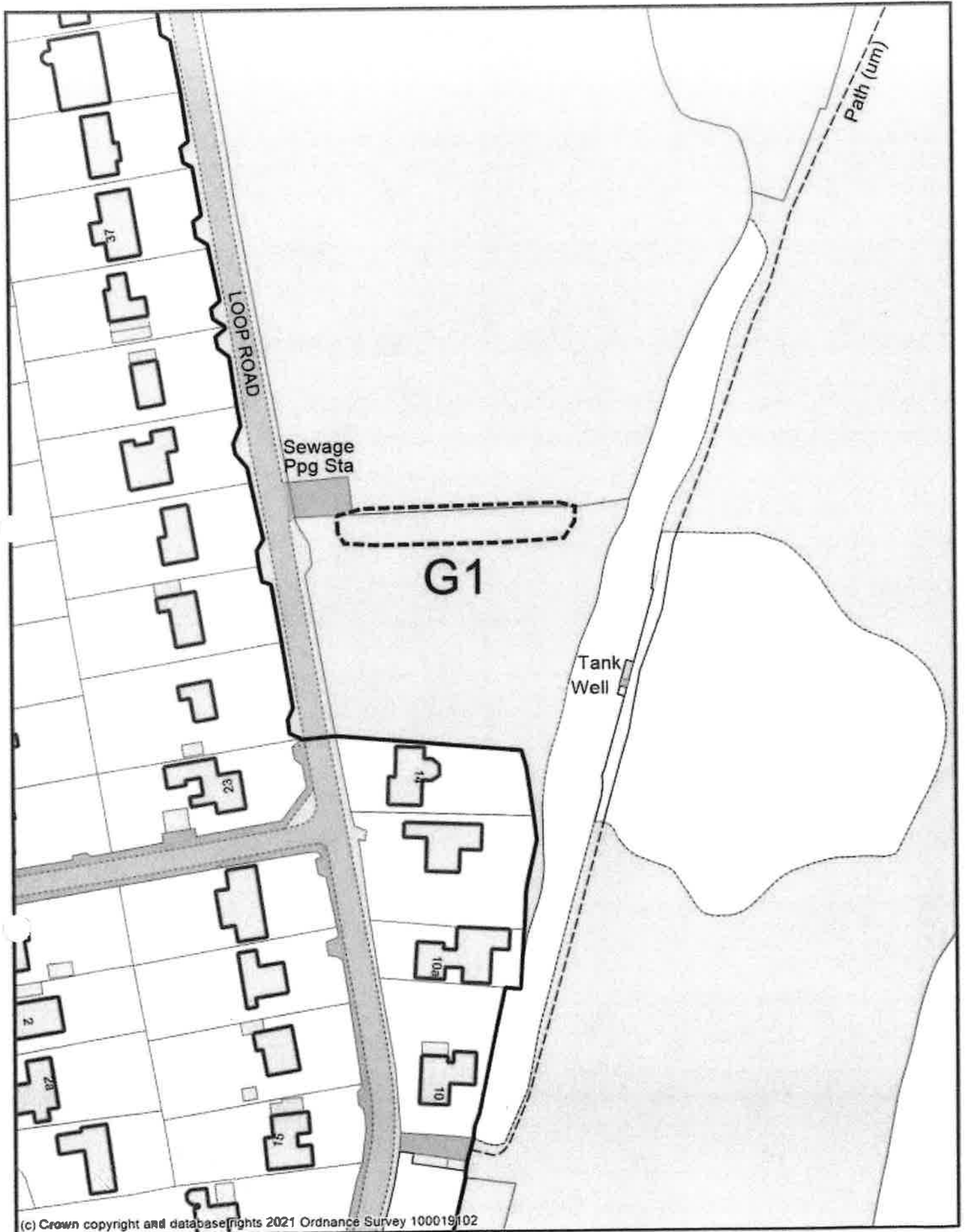
Groups of trees
(within a broken line on the map)

Reference on map	Description (including number of	Situation trees in the group)
G1	2 Oak	ST549924 - ST550924
	2 Lawson Cypress	ST549924 - ST550924
	1 Leyland Cypress	ST549924 - ST550924
	1 Western Red Cedar	ST549924 - ST550924

Woodlands
(within a continuous black line on the map)

Reference on map	Description	Situation
-	-	-

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DFTPO 257
Land the North of 14 Loop Road, Beachley

Scale: 1:1250

10 February 2021



Ampt

Report for a Tree Preservation Order

DFTPO257, Land the North of 14 Loop Road, Beachley

Introduction

A Tree Preservation Order is recommended for 6 trees which are within an area recently receiving planning permission (P1949/20/OUT):

- T1 – Oak (T5 on the survey plan)
- T2 – Lawson Cypress (T11 on the survey plan)
- T3 – Leyland Cypress (T12 on the survey plan)
- T4 – Lawson Cypress (T13 on the survey plan)
- T5 – Western Red Cedar (T14 on the survey plan)
- T6 – Oak (T15 on the survey plan)

The trees will form the boundary of the settlement following development. A number of trees are present on the allocated land, mostly mature oak.

Desk Based Assessment

The site is outside of the settlement boundary as set out in the allocations plan. Following the granting of planning permission the tree will form part of the new settlement boundary.

Site Based Assessment

The trees are distinctive and prominent features of this part of Loop Road and form a boundary feature and screen when approaching from the north.

The trees are shown to be retained and safeguarded as part of the approved development. Some of the small trees within the group do not contribute significantly and therefore do not justify being included in the preservation order.

Consultation Responses

Planning application P1949/20/OUT has been subject to public consultation. No specific consultations in relation to making a TPO have been undertaken.

Discussion

Visibility: The trees are very visible from Loop Road and form a distinctive feature.

Individual Impact: The trees are mature. Some of the trees vary in quality individually. A small number of trees are not recommended for protection, due to their low individual value.

Wider Impact: The trees form part of wider countryside hedge field pattern and connect with the strong woodland character bordering the Severn Estuary.

Expediency: The site is subject to outline planning permission and the tree's play an important part in ameliorate the development site into the local character of the area. The trees are retained as part of the development and their contribution should be safeguarded.

A TPO is considered expedient.

Conclusion of Discussion: Six trees form an important feature together of high amenity value and therefore recommended for 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 trees. A felling license would be required for the removal of larger quantities of timber.

In the event of submission and consent of a planning application on the site, conditions may be imposed to safe guard the trees during construction and include them within a landscaping scheme. These may ensure short term protection of trees within the application site only, upon implementation of permission.

Recommendation

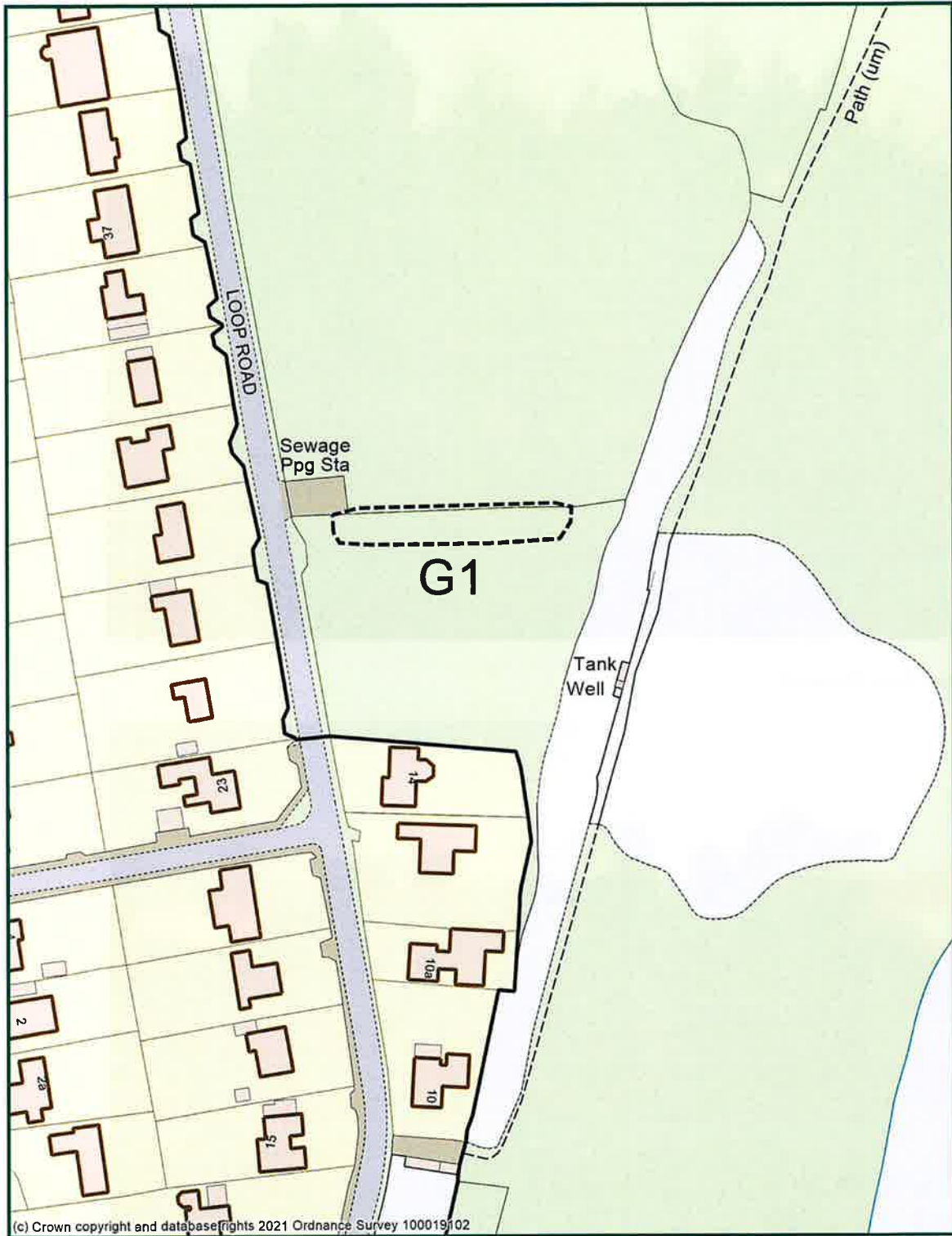
That provisional Tree Preservation Order DFTPO257 Land to the north of 14 Loop Road, Beachley is made.

Signed: ...A Chapman.....

Printed: ... 10th February.....

Agreed Clive Reynolds..... Date: ... 10th Feb 2021.....

Appendix A – TPO Plan



DFTPO 257
Land the North of 14 Loop Road, Beachley

Scale: 1:1250

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Appendix B – Photographs



View from the north



View from the North



View into site



Submitted Tree Survey & Protection Plan