

TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO225 – Land south of Ross Road, Gorsley

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 DFTPO225, Land south of Ross Road, Gorsley

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

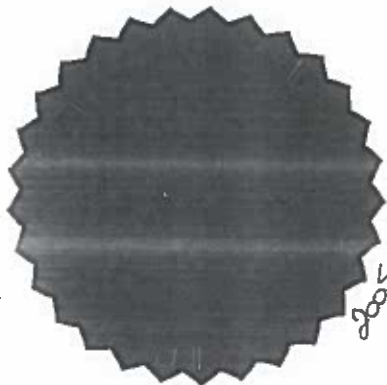
In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 2 day of June 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
DFTPO225
Land South of Ross Road, Gorsley

Scale: 1:2000



**SCHEDULE 1
SPECIFICATION OF TREES**

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

Reference on Map	Description	Situation
T1	Oak	SO682259 (368189, 225947)

**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	SO682259 (368232, 225932)

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

Reference on map	Description	Situation
-	-	-

Report for a Tree Preservation Order

DFTPO225 Land South of Ross Road, Gorsley

Introduction

A Tree Preservation Order is recommended for three oak trees in Gorsley as one individual tree and one group (see Appendix A – B for TPO plan and photographs). The trees should be referred to as:

T1 – oak

G1 – 2 oak

Clearance works have recently taken place on a strip of land to the south of Ross Road in Gorsley. Much of the vegetation has been cleared with a few trees remaining near the southern boundary which are now very visible from the highway as a result. The remaining trees include mature boundary oak trees.

Desk Based Assessment

The trees are located within a strip of land which fronts Ross Road running through Gorsley on its southern side. Aerial imagery (2014) shows this land to be very well vegetated.

There is a public right of way along a track immediately to the east of the site running south from Ross Road and joining Sterry's Road. Two trees are covered by a TPO along this footpath.

Site Based Assessment

Recent clearance works have been carried out on the site to remove vegetation, leaving only a few mature trees along the southern site boundary. The remaining trees are therefore very prominent when viewed from Ross Road. Four of these trees are large mature boundary oak trees and have particular prominence. One of these has failed previously leaving the crown very one sided and with a greater chance of failure in the future.

Consultation Responses

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

Discussion

Visibility: The trees are very prominent when viewed from Ross Road. Only glimpses can be afforded from the PROW to the east, due to existing hedgerows, however the trees are also prominent from Sterry's Road to the south of a field adjoining the cleared site.

Individual Impact: T1 is a large oak of good form sitting on the site's southern boundary with the adjoining field. Trees in G1 are almost viewed as one canopy from

the highway. One tree in the group currently appears a weaker specimen than the other, though both trees work together to provide a feature of high visual amenity.

Wider Impact: The trees form a prominent feature along Ross Road and contribute to the surrounding network of field boundaries marked by hedgerows and trees. From Sterry's Road to the south the trees are seen to tower above the skyline of an open, sloped field.

Expediency: Extensive works have been carried out on a site within which the trees are located and border. Any further works could lead to the diminishment or removal of these important features.

A TPO is considered expedient.

Conclusion of Discussion: Three oak trees are considered to be of high public amenity and 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 trees in question.

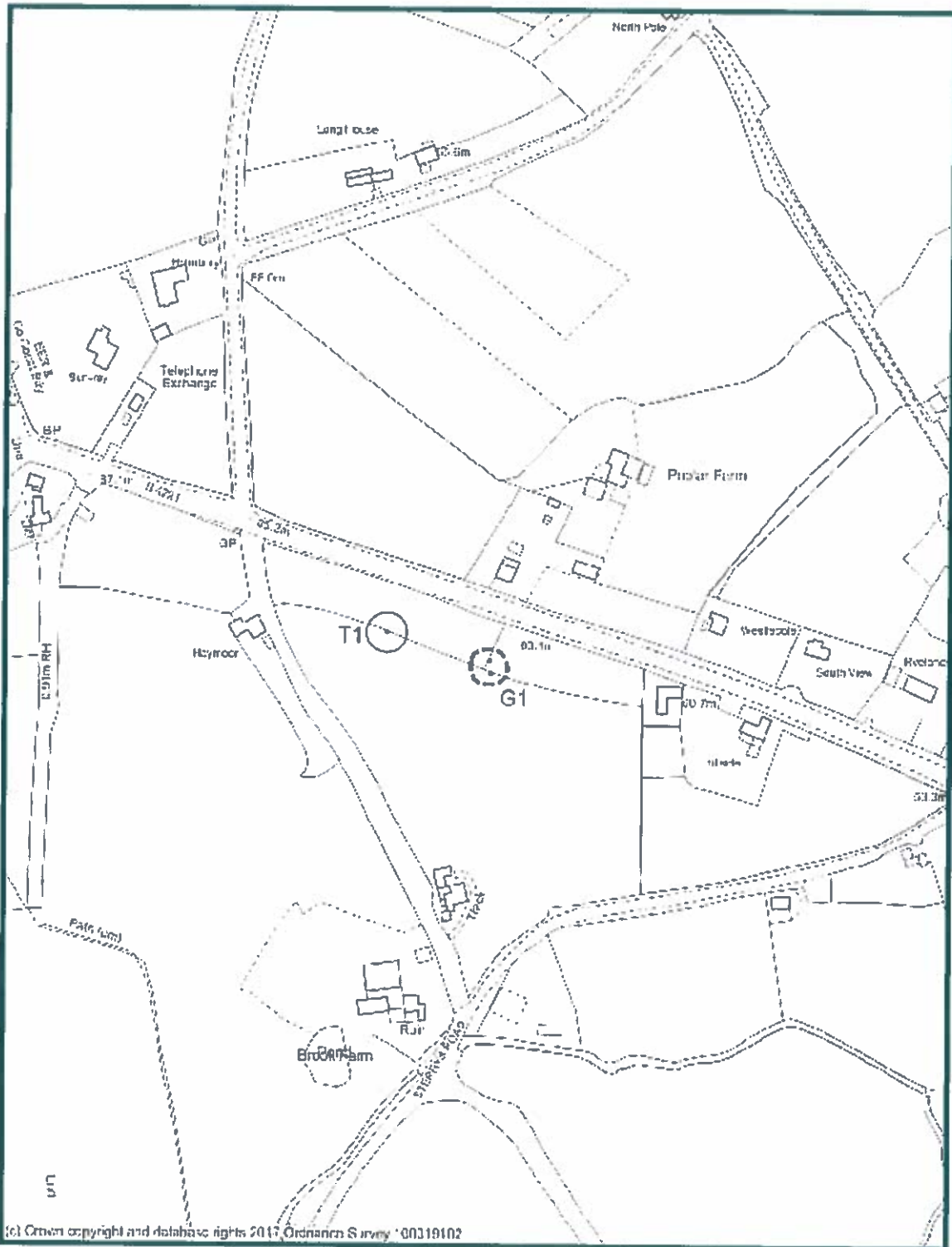
Recommendation

That provisional Tree Preservation Order DFTPO225 Land South of Ross Road, Gorsley

Strategic Group Manager:.....*p.p. Emma Hughes*.....

Agreed / Disagree* :..... Date: *9/5/17* :.....

Appendix A – TPO Plan



**Tree Preservation Order
DFTPO225
Land South of Ross Road, Gorsley**

Scale: 1:2000

05 May 2017



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Appendix B - Photographs



G1



Tree that has
partially failed

T1

