

TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO207 6 Lakeside, Newent

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 DFTPO207, 6 Lakeside, Newent

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 13 day of January 2015

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 series of connected loops and curves.

1753.


CONFIRMATION OF ORDER

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL without modification on the 14th day of April 2015

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

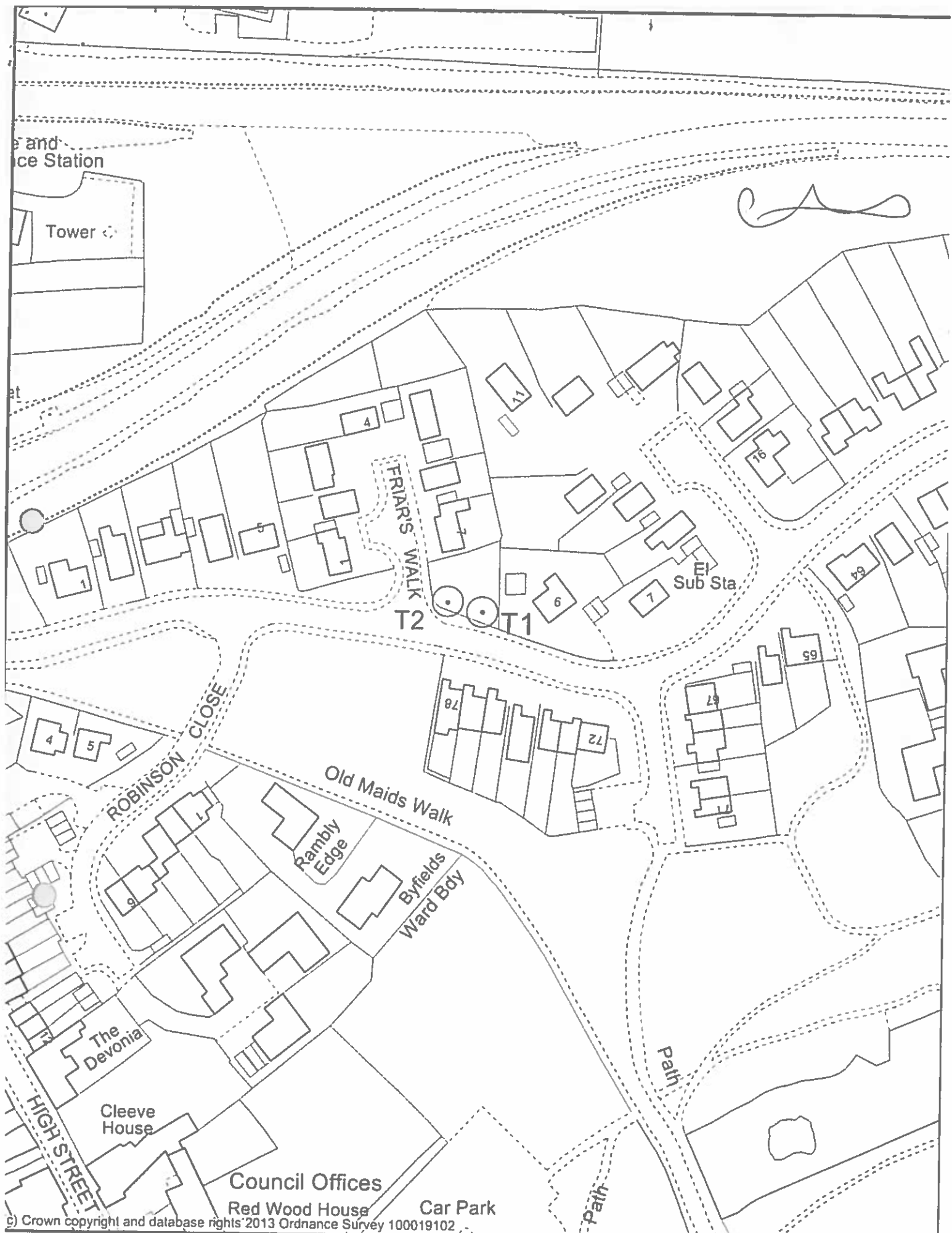
REVOCATION OF ORDER

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



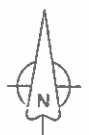
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**Tree Preservation Order
DFTPO207
6 Lakeside, Newent**

Scale: 1:1250

19 December 2014



SCHEDULE 1
SPECIFICATION OF TREES

Trees specified individually
(Encircled in black on the map)

Reference on Map	Description	Situation
T1	Acer	Southern boundary of 6 Lakeside
T2	Birch	Southern boundary of 6 Lakeside

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
-	-	-

Report for a Tree Preservation Order

DFTPO207, 6 Lakeside, Newent

Introduction

A Tree Preservation Order is recommended for two individual trees at 6 Lakeside, Newent (see Appendix A – B for TPO plan and photographs). The trees should be referred to as:

T1 – Acer

T2 - Birch

The trees are located in the side garden of 6 Lakeside, Newent. The trees are located within area A2 of G41 TPO54 which was made in 1961 however these trees are not covered by the Order. The trees are considered to be of high amenity value and merit protection.

Desk Based Assessment

The trees are located in the side garden of 6 Lakeside, Newent. They are located within G41 TPO54 area A2, however are not protected by the TPO. The trees are located adjacent to Lakeside, a residential road to the north of Newent Lake.

Two applications have been received for works to trees covered by A2 of G41 TPO54 at 6 Lakeside recently, P0495/13/TPO and P1737/14/TPO.

Site Based Assessment

Upon a site visit for application P1737/14/TPO, it was considered that the Acer and Birch trees proposed for protection are both of high amenity value individually.

The trees are located adjacent to the road at Lakeside. They are prominent in the street scene.

Consultation Responses

No consultations have been made for the making of this TPO.

Discussion

Visibility: The trees are prominent from Lakeside and Friars Walk.

Individual Impact: The trees are of high individual amenity value. They are large and considered to be of good form.

Wider Impact: The trees are prominent in the street scene and contribute significantly to the amenity of Lakeside.

Expediency: Applications have recently been received for works to trees covered by G41 TPO54 at 6 Lakeside. T1 and T2 are not covered by the Order and are not located within a Conservation Area. The Council's permission is not required prior to the removal of or works to the tree therefore.

A TPO is considered expedient.

Conclusion of Discussion: One Acer tree and one Birch tree are considered to be prominent on the street scene of Lakeside, Newent and are of high public amenity value. The trees are of a size and form that merits protection.

Alternatives to placing a Tree Preservation Order

Do nothing. The Council's permission will not be required prior to the removal of the tree as it is not currently protected by a TPO or located within a Conservation Area.

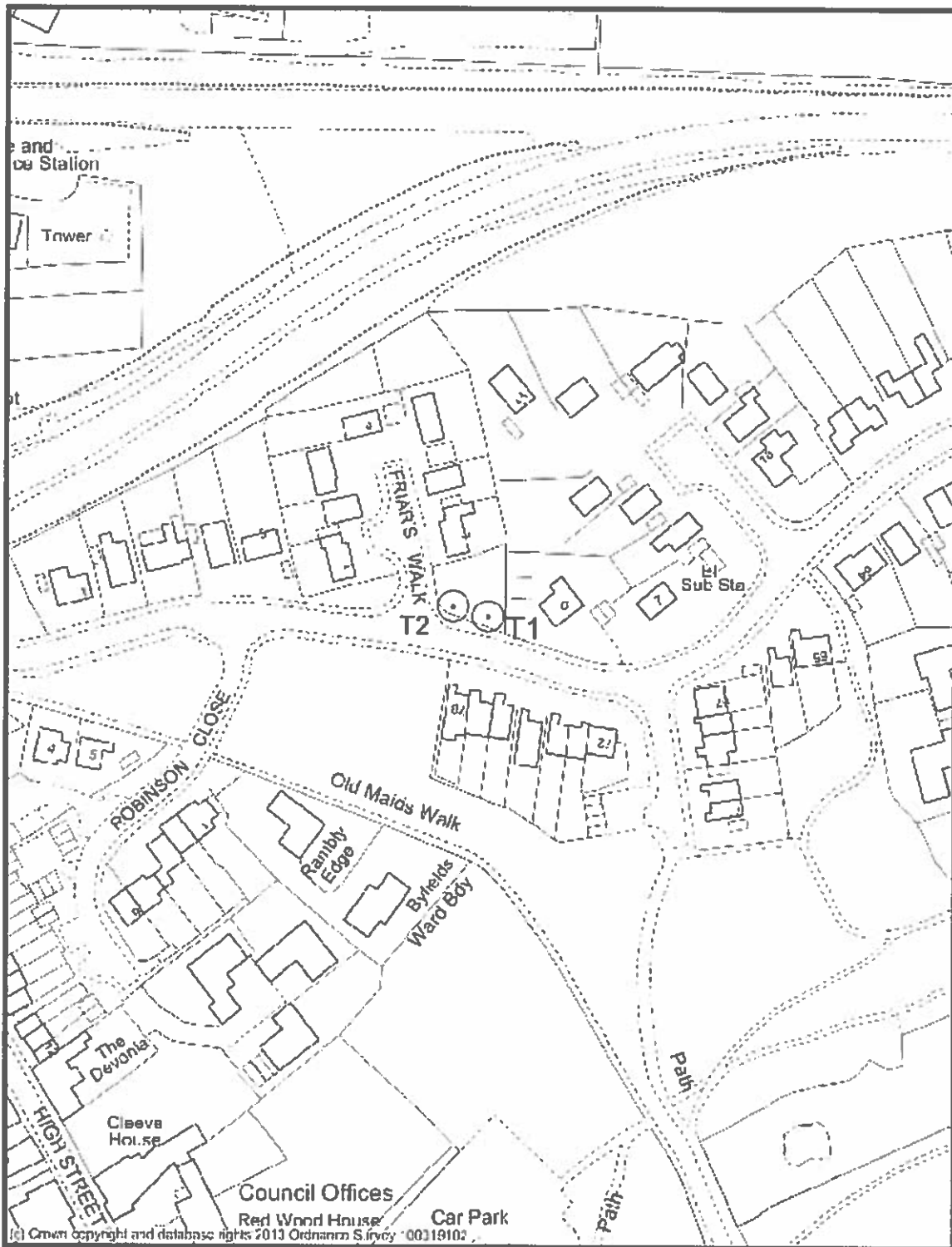
Recommendation

That provisional Tree Preservation Order DFTPO207 6 Lakeside, Newent be made.

Planning and Housing Group Manager:.....

Agreed / Disagree*:..... Date:.....

Appendix A – TPO Plan



**Tree Preservation Order
DFTPO207
6 Lakeside, Newent**

Scale: 1:1250

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Appendix B – Photographs





Report for a Tree Preservation Order

DFTPO207, 6 Lakeside, Newent

Introduction

A Tree Preservation Order (TPO) has been made for a tree at 6 Lakeside, Newent (see Appendix A) referred to as:

T1 - Acer

The tree is located in the side garden of 6 Lakeside, Newent, protected by G41 TPO54. The tree is of greater amenity value than other trees on the property however is not currently protected.

Desk Based Assessment

The tree is located in the side garden of 6 Lakeside, Newent, within G41 TPO54 area A2, however is not protected by the TPO as its species is not cited for protection in the first schedule. The tree is located adjacent to Lakeside, a residential road to the north of Newent Lake.

Two applications have been received for works to trees covered by A2 of G41 TPO54 at 6 Lakeside recently, P0495/13/TPO and P1737/14/TPO.

Site Based Assessment

There are a number of trees within the side garden of 6 Lakeside. It is considered that few of these are protected by the existing TPO G41 TPO54, in particular it would seem, a Holly tree and a Cyprus tree which are covered by area A2.

Upon a site visit for application P1737/14/TPO, it was considered that the Acer tree proposed for protection is of greater value than the Holly and Cypress trees and was considered to be of high amenity value individually. This tree is not currently protected however.

The tree is located adjacent to the road at Lakeside. It is significant in height and is prominent on the street scene.

Consultation Responses

No consultations have been made for the making of this TPO.

Discussion

Visibility: The tree is prominent from Lakeside.

My one concern is that by saying it is of higher quality than existing TPOs we are implying that these other TPOs should be removed. - also do we know why it was not TPO'd if its such an obvious valued tree?

at 6 Lakeside, the tree should be

the trees here are considered to be of existing TPO within

located within G41

Individual Impact: The tree is of high individual amenity value. It is large and considered to be of good form. The tree is of higher amenity value individually than trees within the property afforded protection by the existing TPO.

Wider Impact: The tree is prominent on the street scene and contributes significantly to the amenity of Lakeside.

Expediency: Two applications have recently been received for works to trees covered by G41 TPO54 at 6 Lakeside. The Acer tree is not covered by the Order and is not located within a Conservation Area. The Council's permission is not required prior to the removal of or works to the tree therefore.

A TPO is considered expedient.

Conclusion of Discussion: One Acer tree is considered to be prominent on the street scene of Lakeside, Newent and is of high public amenity value. The tree is of a size and form that merits protection.

Alternatives to placing a Tree Preservation Order

Do nothing. The Council's permission will not be required prior to the removal of the tree as it is not currently protected by a TPO or located within a Conservation Area.

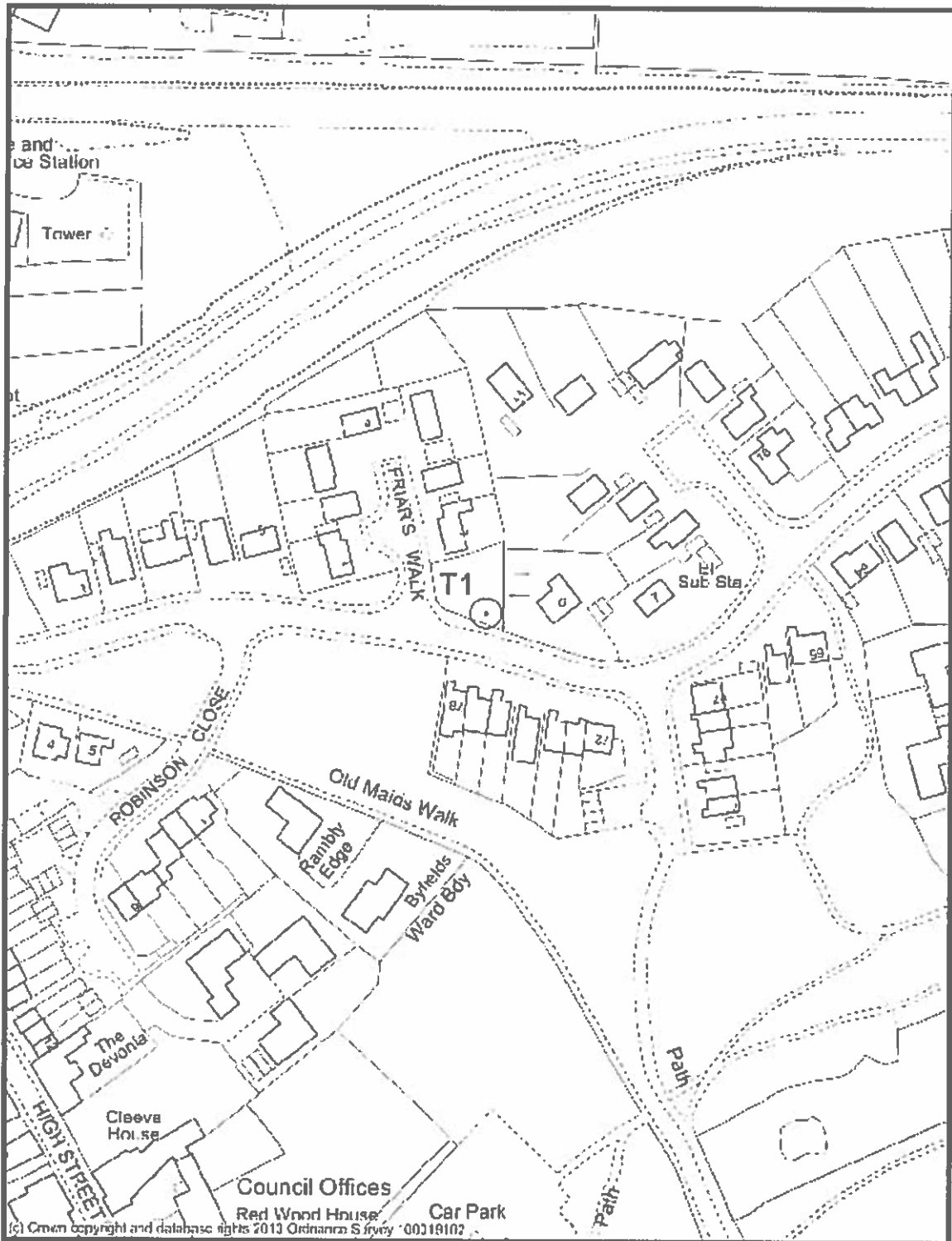
Recommendation

That provisional Tree Preservation Order DFTPO207 6 Lakeside, Newent be made.

Planning and Housing Group Manager: .. ..

Agreed / Disagree* : Date: 19/12

Appendix A – TPO Plan



**Tree Preservation Order
DFTPO207
6 Lakeside, Newent**

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Appendix B – Photographs

