

TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO256 – Hazel Cottage, Vention Lane, 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 DFTPO256, Hazel Cottage, Vention Lane, 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 26 day of May 2020

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

Affixed in the presence of

P.M. Williams



2246

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

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
Nil	Nil	Nil

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

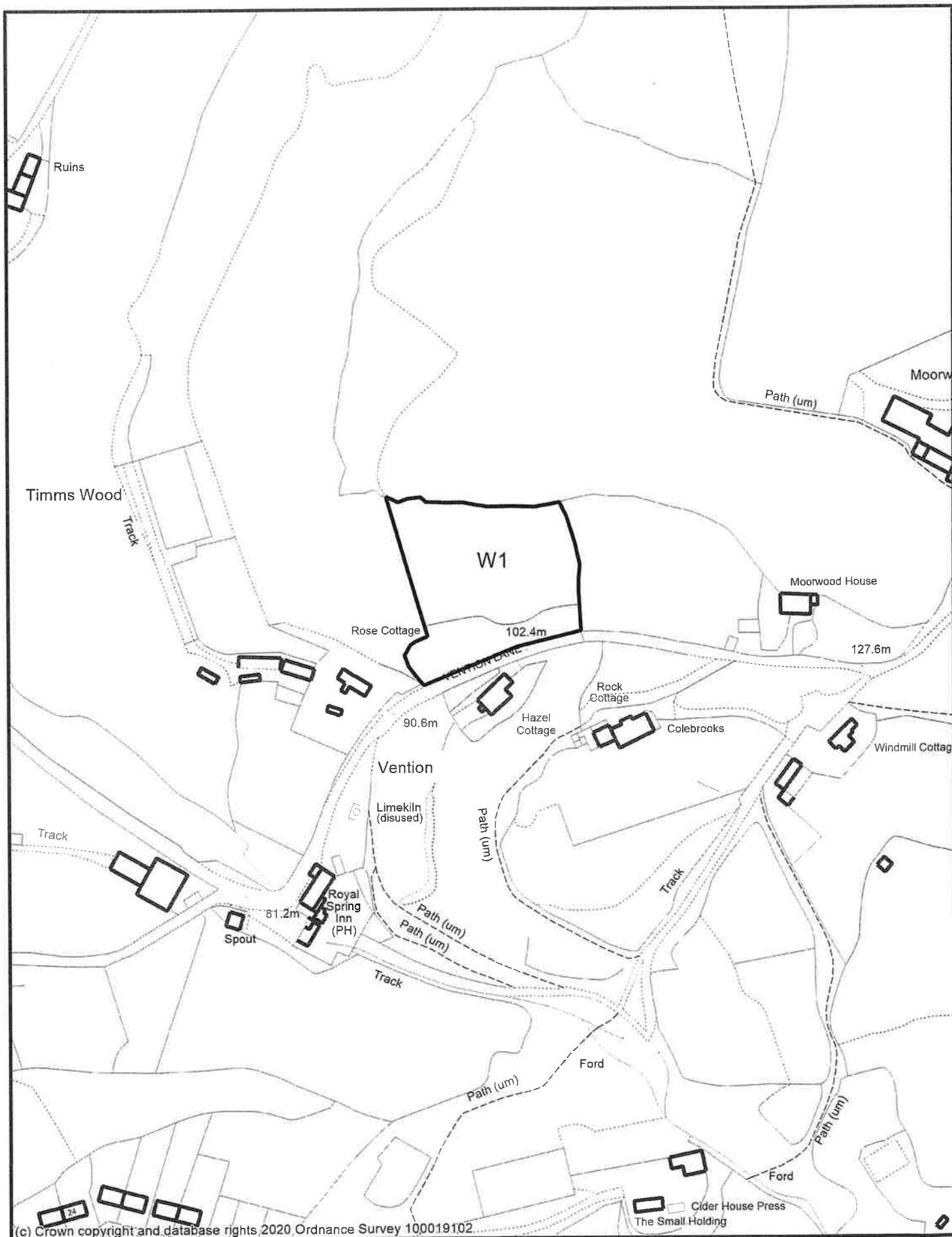
Reference on Map	Description	Situation
Nil	Nil	Nil

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

Reference on map	Description (including number)	Situation
Nil	Nil	Nil

Woodlands
(within a continuous black line on the map)

Reference on map	Description	Situation
W1	Oak, Yew, Beech, Lime, Sweet Chestnut, Ash, Elm, Field Maple, Cherry, Hawthorn, Holly, Hazel	Woodland at Hazel Cottage, Vention Lane. SO 360500, 216871



IMPORTANT – THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

The Town and Country Planning Act 1990

The Town and Country Planning (Tree Preservation) (England) Regulations 2012

DFTPO256 – Hazel Cottage, Vention Lane, Lydbrook

Notice Under Regulation 5

This is a formal Notice to let you know that on the 26th May 2020 the Forest of Dean District Council (hereafter called 'the Council') made the above Tree Preservation Order.

A copy of the Order is enclosed. In simple terms, it prohibits anyone from carrying out activities such as the cutting down, topping or lopping any of the trees described in Schedule 1 and shown on the map without the Council's consent.

Reasons for Making the Order

The Council has made the Tree Preservation Order for the following reasons:

In the interest of public amenity

Objections


The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you have any objections or other representations which you wish to make with respect to any of the trees, groups of trees or woodlands specified in Schedule 1 of the accompanying Order, then such representations must be received by the Council no later than 23rd June 2020 to the following address:

Forest of Dean District Council
Council Offices
High Street
Coleford
Gloucestershire
GL16 8HG.

Any objections or representations must comply with the requirements of Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 which is set out overleaf.

The Council will write to you again further when the decision whether or not to confirm the Order has been made.

Signed.....

~~Monitoring Officer~~ / Head of Paid Service

REGULATION 6 of the Town and Country Planning (Tree Preservation) Regulations 2012

OBJECTIONS AND REPRESENTATIONS

(1) Subject to paragraph (2), objections and representations—

(a) shall be made in writing and—

(i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or

(ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and

(c) in the case of an objection, shall state the reasons for the objection.

(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

Report for a Tree Preservation Order

DFTPO256 Hazel Cottage, Vention Lane

Introduction

A Tree Preservation Order is recommended for one woodland at Hazel Cottage, Vention Lane, Lydbrook (see Appendix A – C for TPO plan and photographs). The woodland should be referred to as:

W1 – Oak, Yew, Beech, Lime, Sweet Chestnut, Ash, Elm, Field Maple, Cherry, Hawthorn, Holly, Hazel

Planning application P0634/19/FUL seeks permission for the erection of two glamping cabins, a utility building, parking and drainage works within the wood.

Desk Based Assessment

W1 is owned by Hazel Cottage but forms part of a larger swathe of woodland outside of their ownership. The woodland is within the Wye Valley AONB.

An arboricultural impact assessment was submitted in relation to a proposal for the erection of glamping cabins and associated works under planning application P0634/19/FUL which identifies selected individuals throughout the wood, many of which have been categorised BS5837:2012 category 'A', but notes that the site is densely wooded.

The wood is on steep sloping land rising from south to north and is described in the submitted arboricultural report as 'more or less contiguous with woodland to the east and west'. The report identifies evidence of historic management via coppicing and a number of large old trees excluded from any previous coppicing.

It is proposed to set cabins and paths within the wood and bank, which have been designed to fit between trees. Revisions to the proposed development were made to address concerns of impacts on the woodland and surrounding landscape.

Site Based Assessment

A site visit has not been made in relation to the creation of a TPO however site information from the planning application confirms the site is steeply sloped, densely wooded and contributes to the local landscape and Wye Valley AONB.

Consultation Responses

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

Discussion

Visibility: The wood is visible from nearby highways and public rights of way.

Individual Impact: This is historic woodland containing a mix of coppiced trees, young trees and large specimen trees.

Wider Impact: The wood is viewed in the context of a larger wooded area within the Wye Valley AONB, contributing significantly to the surrounding landscape character.

Visible infrastructure constraints: None noted.

Expediency: Planning application P0634/19/FUL has been made for the erection of two glamping cabins, a utility building, parking and drainage works within the wood. Whilst a method statement can minimise direct impacts on the wood from construction activity, the proposed development will change the use of part of the wood and will increase activity within the wood

A TPO is considered expedient to safeguard amenity of the local landscape and Wye Valley AONB.

Conclusion of Discussion: The woodland contributes significantly to the local landscape and Wye Valley AONB and is therefore considered to merit protection.

Alternatives to placing a Tree Preservation Order

Do nothing. If P0634/19/FUL is granted permission, planning conditions could secure the retention and management of the wood in the short term.

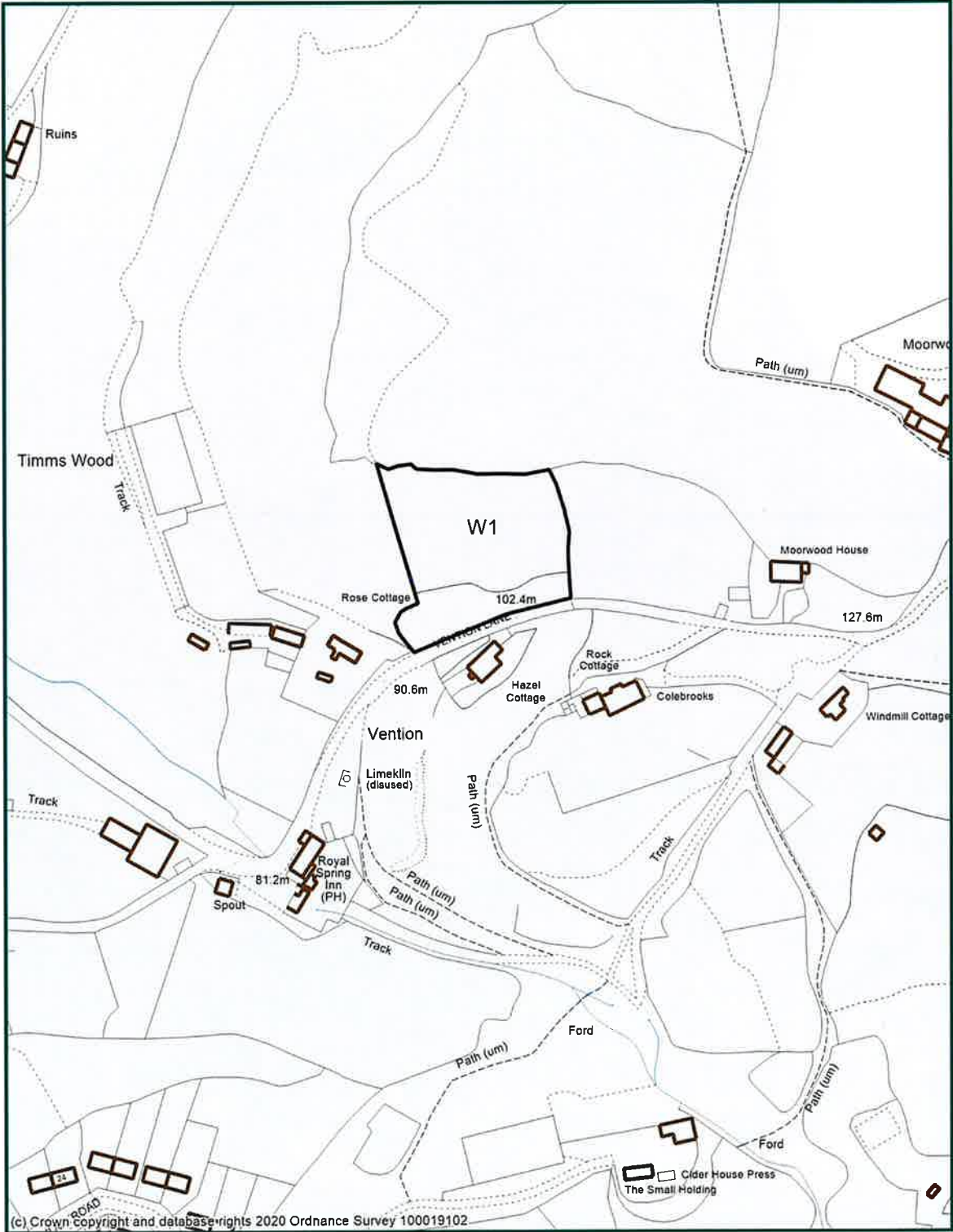
Recommendation

That provisional Tree Preservation Order DFTPO256 Hazel Cottage, Vention Lane be made.

Signed:.....

Printed:.....

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



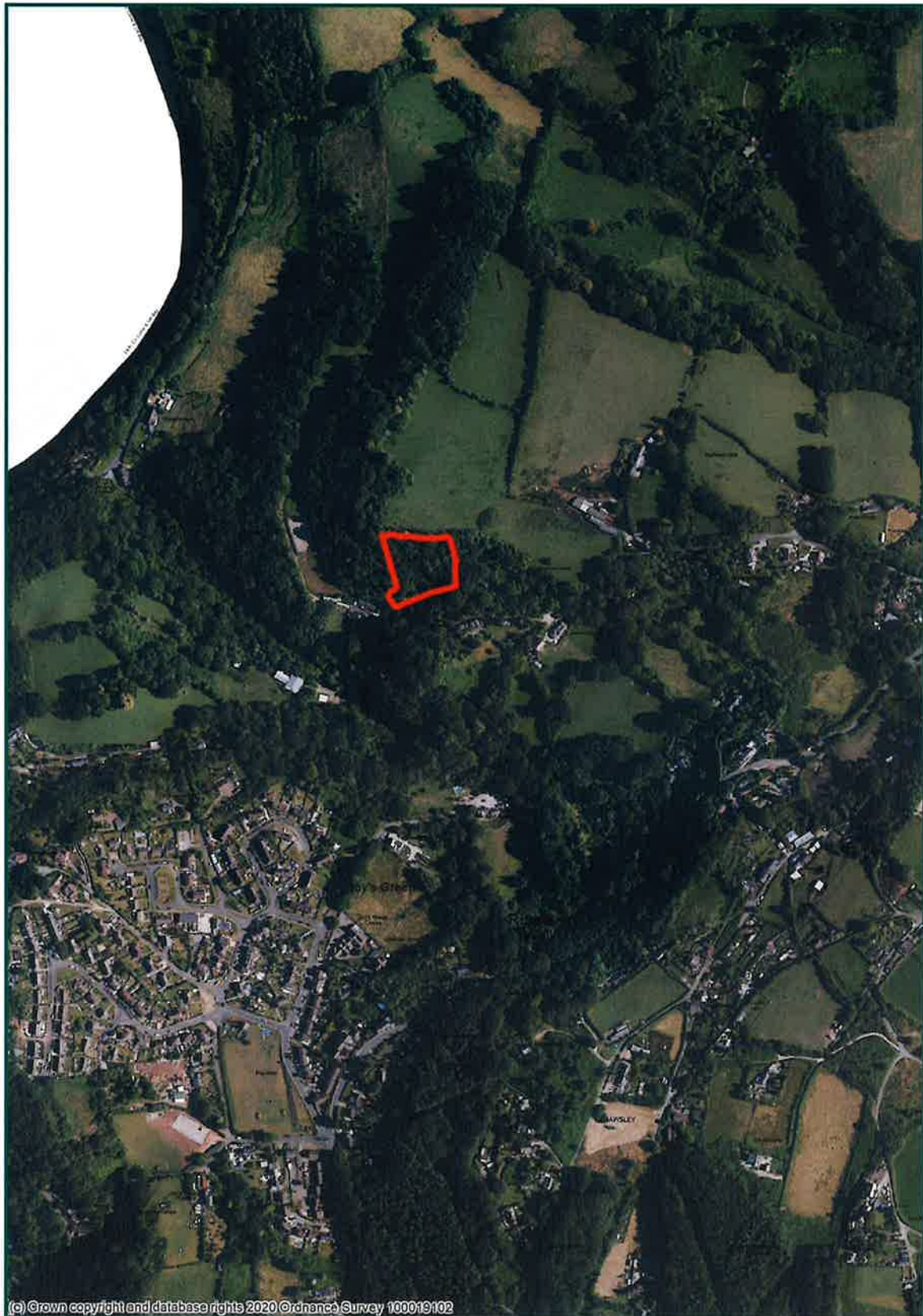
**Tree Preservation Order
DFTPO256
Hazel Cottage, Vention Lane**

Scale: 1:2000

20 May 2020



Appendix B – Aerial View

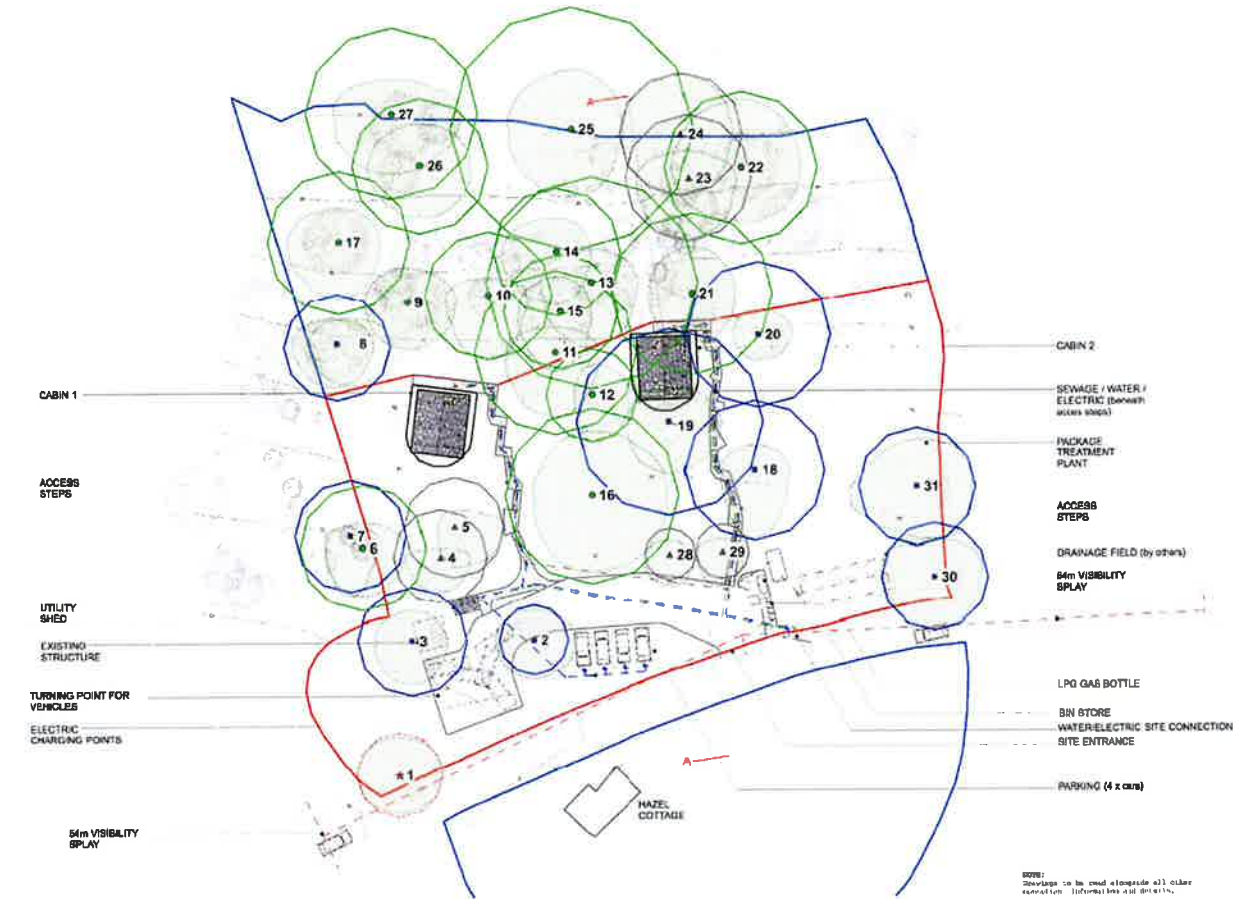


Appendix C - Photographs





Appendix D – latest tree constraints plan and site plan submitted with P0634/19/FU



HILLS+CO.

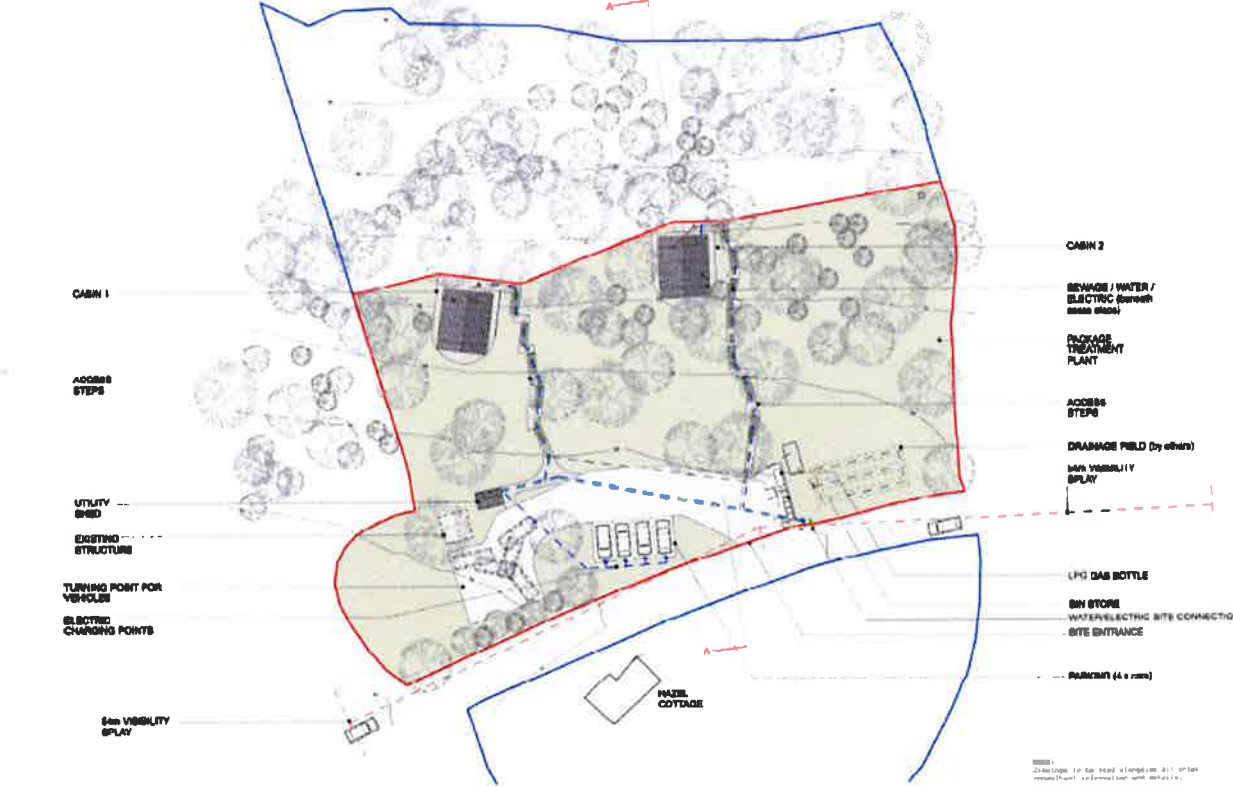
ILLUMINANCE + LANDSCAPE FOR
Road Design
Engineering + Construction VPI + RD

Project: 19-02-10
Date: 19-02-10

Drawings:
Secondary 2.0m contour
DRAINAGE FIELD (by others)
54m VISIBILITY SPLAY

NOTE:
On 19/02/2019, a 2.0m contour was added to the site plan. The 2.0m contour was added to the site plan to show the drainage field (by others) and the 54m visibility splay.

Project: 19-02-10
Date: 19-02-10
Drawing No: 19-02-10-01



HILLS+CO.
ARCHITECTURE + INTERIOR

ILLUMINANCE + LANDSCAPE FOR
Road Design
Engineering + Construction VPI + RD

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Drawing No: 19-02-10-01

