

TOWN AND COUNTRY PLANNING ACT 1990

The Tree Preservation Order DFTPO 206 Land East of Drury Lane, Redmarley

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 DFTPO 206, Land East of Drury Lane, Redmarley

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 9 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 loops and a long horizontal stroke.

LEGAL TEAM MANAGER



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 , on the day

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

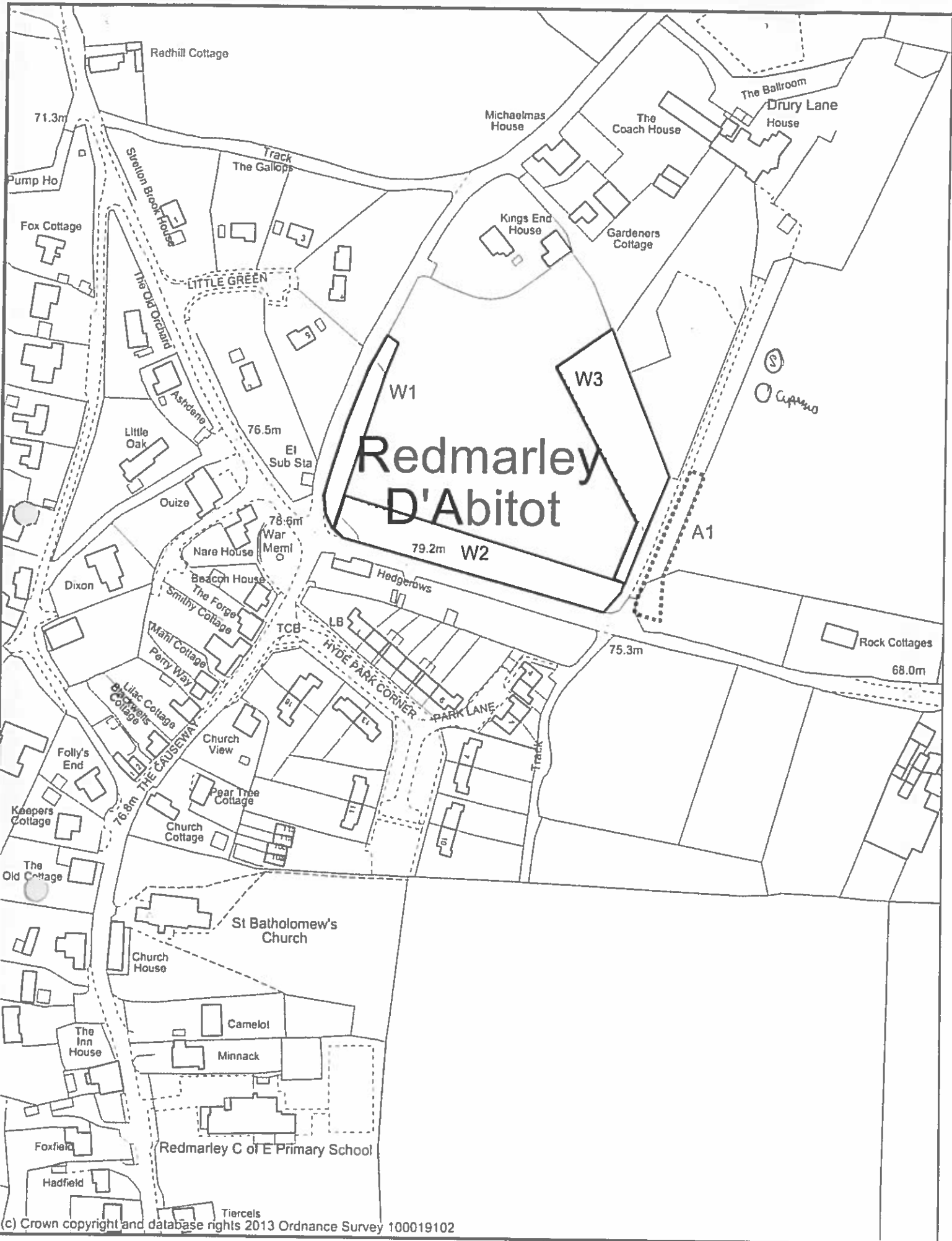
REVOCATION OF ORDER

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



**Tree Preservation Order
DFTPO206
Land East of Drury Lane**

Scale: 1:2000

08 January 2015



**SCHEDULE 1
SPECIFICATION OF TREES**

**Trees specified individually
(Encircled in 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
A1	Area to include Lime, Pine, Cedar, Cypress, Spruce	Near entrance and along drive to Drury Lane House

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

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

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

Reference on map	Description	Situation
W1	Various species to include Ash, Sycamore, Pine, Elm, Norway Maple, Cherry	Western boundary of Land East of Drury Lane
W2	Various species to include Norway Maple, Sycamore, Cherry, Oak, Ash	Southern boundary of Land East of Drury Lane
W3	Various species to include Horse Chesnut, Sycamore, Poplar, Cherry, Hawthorn, Ash	East and Northeast boundaries of Land East of Drury Lane

Report for a Tree Preservation Order

DFTPO206 Land East of Drury Lane

Introduction

A Tree Preservation Order is recommended for three woodland areas and one group of trees at land east of Drury Lane, Redmarley (see Appendix A – B for TPO plan and photographs). The trees should be referred to as:

G1 – Pine, Cedar, Birch, Cypress, Lime

W1 – Ash, Sycamore, Pine, Elm, Norway Maple, Cherry

W2 – Norway Maple, Sycamore, Cherry, Oak, Ash

W3 – Horse Chestnut, Sycamore, Poplar, Cherry, Hawthorn, Ash

Planning application P1593/14/FUL currently seeks permission for the erection of eight dwellings with associated garages/outbuildings on land enclosed by the above trees. The trees will be key to the assimilation of the proposed development into the surrounding landscape character if permitted.

Desk Based Assessment

The application site is situated to the northeast of Redmarley Conservation Area. W1 and W2 form the western and southern boundaries of the application site and border lanes. The majority of trees in these W1 and W2 are within the Conservation Area boundary.

The majority of W3 is not within the application site but is within the blue line boundary to the east of the site. G1 to the east of the site is also not within the application site boundary and is not under the applicant's ownership.

The trees are considered in the application to be of key importance in helping to assimilate the site into the landscape character and context of Redmarley Conservation Area. Trees in W2 will be to the south of the proposed dwellings and are likely to cause shading of the properties to some extent. It is considered that the development would increase the pressures of management and removal on trees within and adjacent to the site.

An arboricultural report has been submitted in the application for trees on and adjacent to the application site.

Site Based Assessment

The trees can be viewed from Redmarley Conservation Area and contribute to the setting of the Conservation Area. W1 and W2 are also important to the character of two lanes. W3 is visible from the application site and partly visible from the Conservation Area and a public right of way to the east of the site.

Group G1 is visible from a public right of way approximately 125m to the east of the application site. It is considered that G1 will further aid the assimilation of the development into the surrounding landscape character when viewed from this public right of way, especially in the winter months when trees in W3 lack leaf cover.

The tree group and three woodland areas identified in the proposed TPO are important in the assimilation of the application site with the adjacent Conservation Area and surrounding landscape character. The trees will also contribute to the setting of the proposed properties within the site and to a sense of maturity within the development.

Consultation Responses

A number of consultation responses for application P1593/14/FUL regard trees bordering the site as being important features in their own right and in the assimilation of the site into the surrounding area. No consultations have been made with regards to the making of a TPO.

Discussion

Visibility: The trees are prominent from two lanes, Redmarley Conservation Area and visible from a PROW to the east of the site and other highways within Redmarley.

Individual Impact: Within these groups of trees are a range of species. The arboricultural report submitted with application P1593/14/FUL places W1 in category C2 with one Pine tree being B3, W2 in category A2 and W3 in category B2 (see Appendix C for clarification of categories) . W1 has a number of young trees. G1 includes large trees and a mix of species creating an attractive tree line.

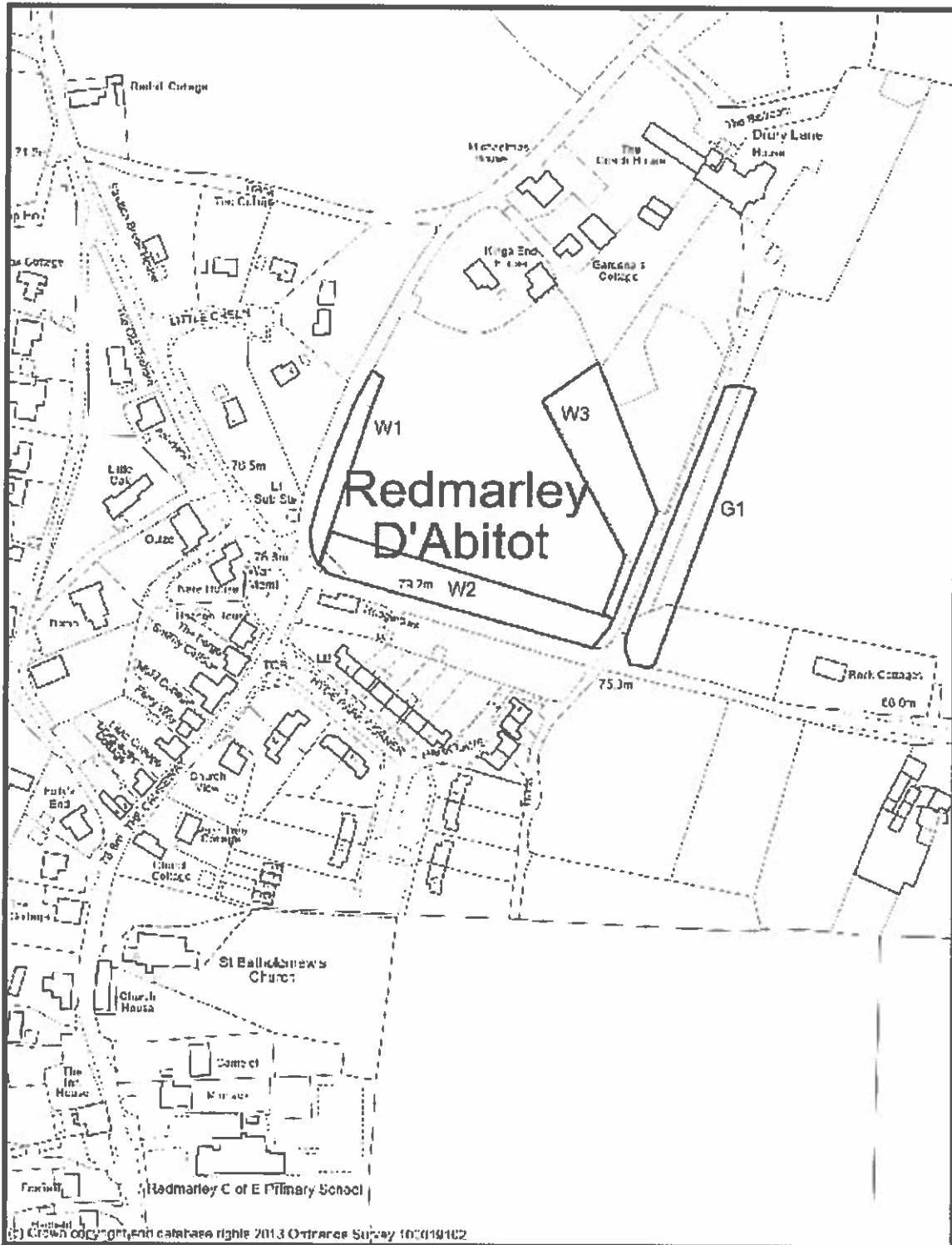
Wider Impact: The trees are visible in the wider landscape. W1 and W2 in particular contribute to the setting of Redmarley Conservation Area. The trees identified will aid the assimilation of a proposed development into the surrounding landscape if approved.

Expediency: The proposed development will increase the management pressures on the three woodland groups identified due to shading of new properties and perceived nuisance. The arboricultural report submitted with application P1593/14/FUL identifies that shade cast by W2 to the south part of the application site should be a consideration in the design of the site. The report states that W2, forming a high quality linear wooded area cannot realistically be pruned to mitigate loss of light.

A TPO is considered expedient.

Conclusion of Discussion: One group of trees and three woodland groups are considered to merit protection. These trees will be important in the assimilation of a proposed development site into the surrounding landscape character.

Appendix A – TPO Plan



**Tree Preservation Order
DFTPO206
Land East of Drury Lane**

Scale: 1:2000

08 January 2015

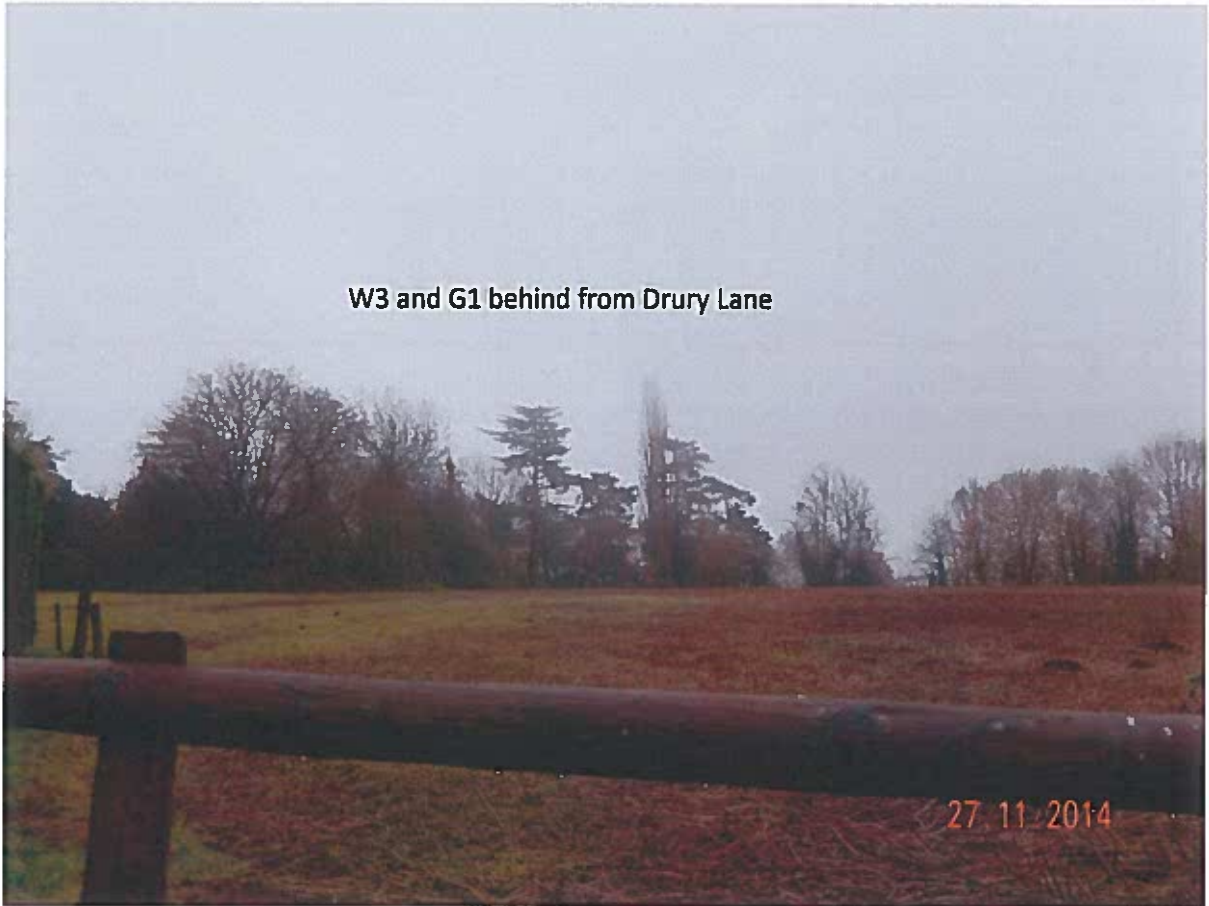


Appendix B – Photographs

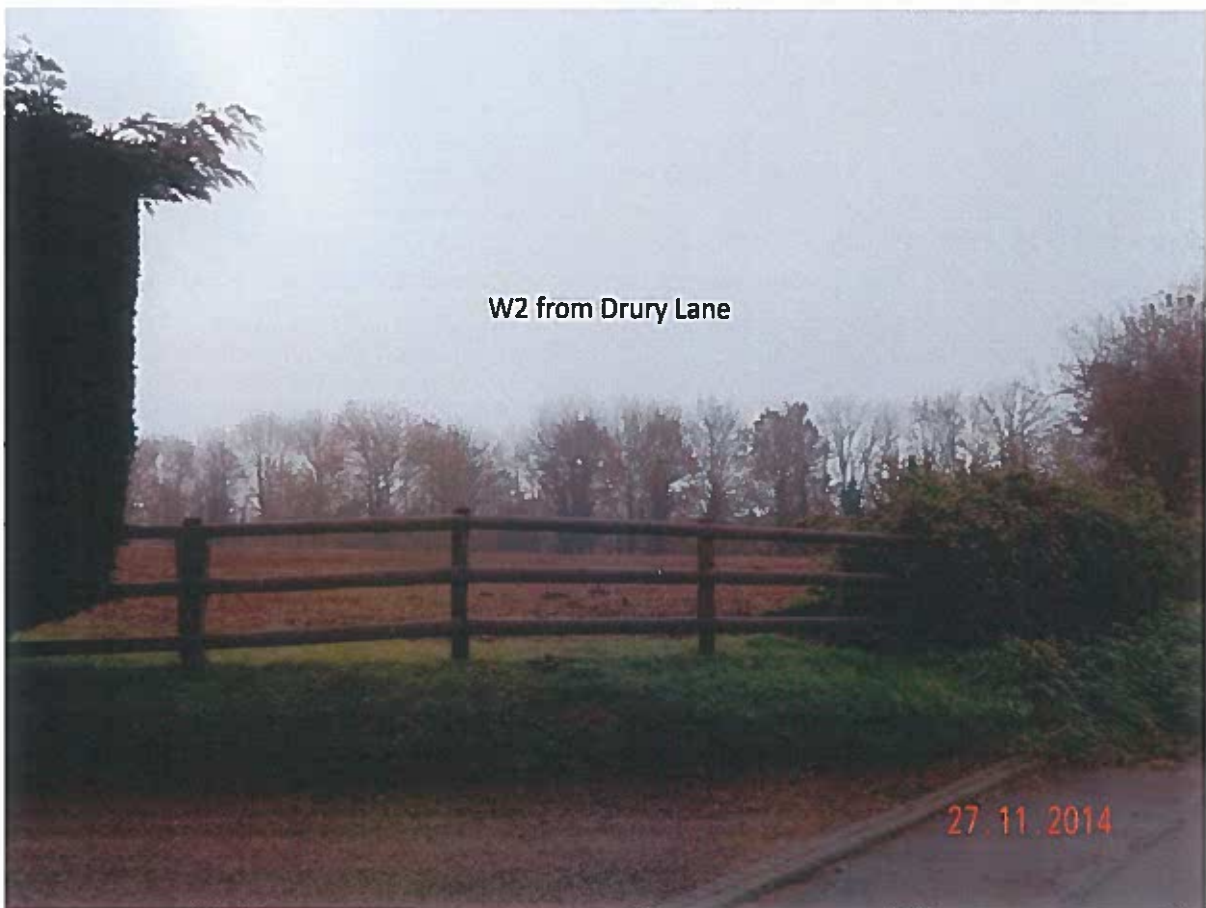




W3 and G1 behind from Drury Lane



W2 from Drury Lane



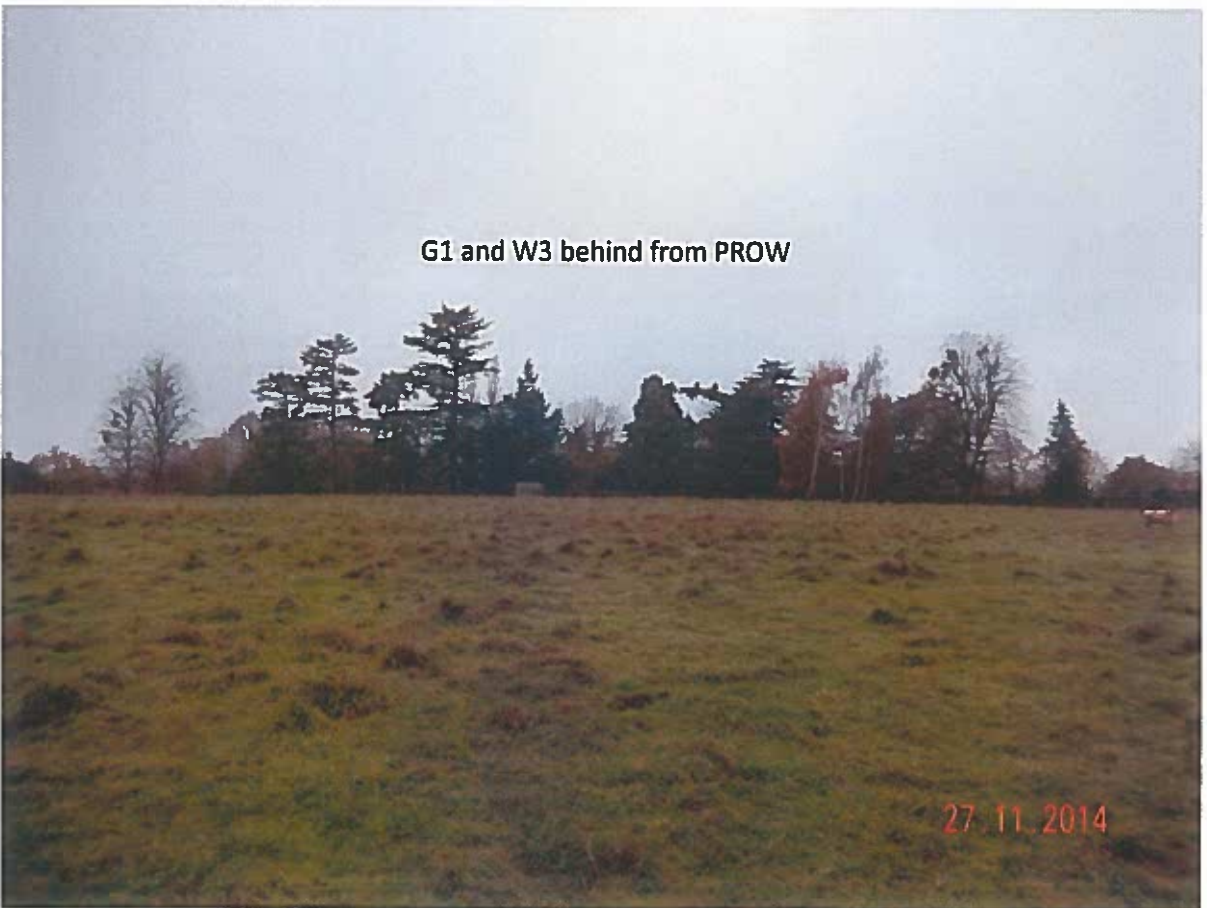


Table 1: cascade chart for tree assessment, adapted from Table 1 of BS5837:2012

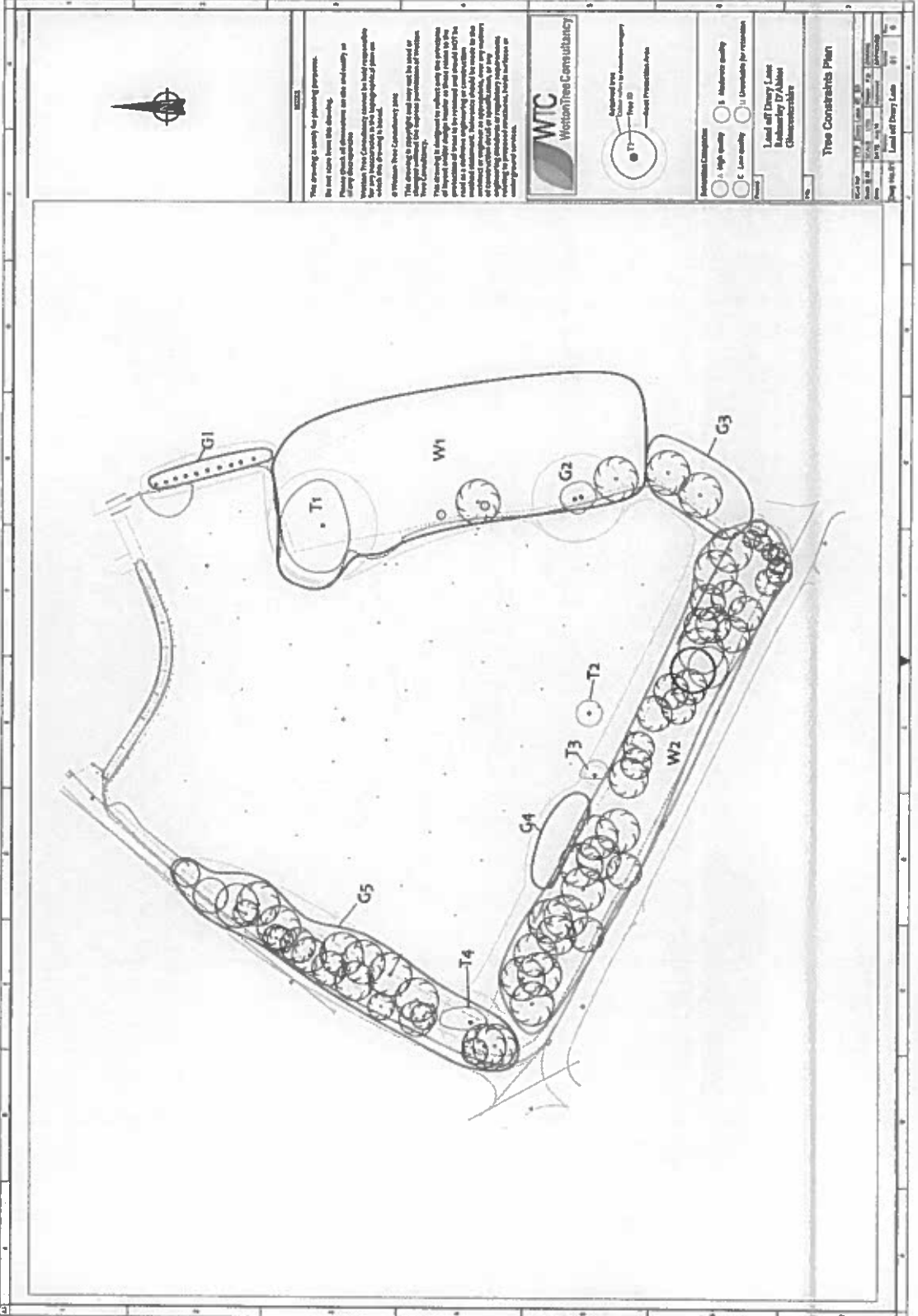
Category & definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention				
Category U Trees in such a condition that they cannot realistically be retained as living trees in the context of current land use for >10 yrs	<ul style="list-style-type: none"> Trees that have a serious, Irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees Trees that are dead or showing signs of significant, immediate and irreversible decline Trees infected with significant pathogens affecting health or safety, or very low quality trees suppressing trees of better quality <p><i>NOTE: these trees can have existing or potential conservation value making retention desirable</i></p>			DARK RED
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values Incl conservation	
Trees to be considered for retention				
Category A Trees of high quality with an estimated remaining life expectancy of >40 yrs	Particularly good examples of their species, esp if rare or unusual. Those that are essential components of groups or formal or semi-formal arboricultural features	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features.	Trees, groups or woodlands of significant conservation, historical, commemorative or other value	LIGHT GREEN
Category B Trees of moderate quality with an estimated remaining life expectancy of >20 yrs	Trees that might be included in category A but are downgraded because of impaired condition such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit category A designation.	Trees present in numbers, usually growing as groups or woodlands such that they attract a higher collective rating that they might as individuals. Trees occurring as collectives but situated so as to make little visual contribution to the area.	Trees with material conservation or other cultural value	MID BLUE
Category C Trees of low quality with an estimated remaining life expectancy of >10 years, or young trees with a stem diameter <150mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary landscape benefits.	Trees with no material conservation or other cultural value.	GREY

APPENDIX 1: Tree schedule

Tree ID	Species	Ht (m)	Stem Dia. (mm)	Spread (m)				Ht (m) & Orientation of First Significant Branch	Avg. Canopy Height (m)	Life Stage	Health & vitality	Struct. cond.	General Observations	Preliminary Recommendations	Estimated safe useful life expectancy (Years)	BS5837: 2012 Category
				N	E	S	W									
G1	Holly <i>Ilex aquifolium</i>	6	250				2		0	Semi-mature	Fair	Fair	Once maintained hedge, now lapsed out of mgt cycle.		20+	C3
W1	Sycamore, poplar, cherry, hawthorn, ash, horse chestnut	12	350				2		0	Mature	Fair	Fair	Mixed species wooded area predominantly ash and sycamore. 4 x dead trees on the field boundary. A group of poplars sits within this wooded area and has been assessed separately as G2. Off-site. RPA TAKEN 2M INSIDE WOODLAND FROM CHERRY TREE 23M N OF G2.	Fell 4 dead trees and stack in woodland.	20+	B2
T1	Horse Chestnut <i>Aesculus hippocastanum</i>	10	1060	10	10	6	10	25W	0	Over-mature	Fair	Fair	Some large crossing branches. Leaf miner present throughout. Lower limbs beginning to layer. Large split limb at 3m on SE side. Off site		20+	B1/3
G2	Lombardy Poplar <i>Populus nigra 'italica'</i>	21	810	3	3	3	3	1SE	2	Mature	Fair	Fair	2 x lombardy poplars plus one fallen 'pheonix' poplar with copious sucker growth. Other small suckered trees in group. Off site.	Sever ivy. Remove sucker growth on site side of trees.	20+	B1
G3	Cherry, sycamore, hawthorn	10	530				3		2	Mature	Fair	Fair	Predominantly cherries. Ivy throughout. Off site.		20+	C2

Tree ID	Species	Ht (m)	Stem Dia. (mm)	Spread (m)				Ht (m) & Orientation of First Significant Branch	Avg. Canopy Height (m)	Life Stage	Health & vitality	Struct. cond.	General Observations	Preliminary Recommendations	Estimated safe useful life expectancy (Years)	BS5837: 2012 Category
				N	E	S	W									
W2	Norway maple, sycamore, cherry, oak, ash.	12	730	3	3				1	Mature	Good	Good	Predominantly maple and cherry. Dense cherry suckering towards centre of wooded area. Good screening from houses opposite. A proposed entrance road through this wooded area would result in the loss of 2 x mature sycamores and 1 x mature cherries, along with some young trees. This is annotated on the submitted Tree Protection Plan.	Thin cherry suckers by 30%. Crown lift 3m over site.	40+	A2
T2	Wild Cherry <i>Prunus avium</i>	8	230					2e	1	Semi-mature	Fair	Fair	Twin-stemmed at base		20+	C1
T3	Wild Cherry <i>Prunus avium</i>		190					2n	1	Semi-mature	Fair	Fair	Suppressed by W2		20+	C1
G4	Wild Cherry <i>Prunus avium</i>		280					2n	1	Young	Fair	Fair	Suckers from trees within W2.	Remove	20+	C2
T4	Black Pine <i>Pinus nigra</i>		590					8n	6	Mature	Fair	Fair	Lost leader in past.	Sever by at base.	20+	B3
G5	Elm, ash, sycamore, Norway maple, cherry		460						0	Mature	Fair	Fair	Dead ash and cherry in middle of group. Group reduces in quality towards the north end. Elm and cherry suckers throughout.	Remove dead ash and cherry	20+	C2

Tree ID	Species	Ht (m)	Stem Dia. (mm)	Spread (m)				Ht (m) & Orientation of First Significant Branch	Avg. Canopy Height (m)	Life Stage	Health & vitality	Struct. cond.	General Observations	Preliminary Recommendations	Estimated safe useful life expectancy (Years)	BS5837: 2012 Category
				N	E	S	W									
H1	Leyland Cypress <i>x Cupressocyparis leylandii</i>	3	0	-	-	-	-		0		Good	Good	Well maintained boundary hedge for Kings End house		20+	C



NOTES

This drawing is solely for planning purposes. It does not constitute a contract. Please check all dimensions on site and verify all survey measurements. The client is responsible for providing all necessary information for the design. The client is responsible for providing all necessary information for the design. The client is responsible for providing all necessary information for the design.

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This drawing is designed to comply with the principles of the Planning Act 2008. It is intended to provide a clear and concise overview of the proposed development. It is not intended to be used as a substitute for a full planning application. All dimensions are given in meters unless otherwise stated. All measurements should be taken to the center of the road or the center of the boundary. All measurements should be taken to the center of the road or the center of the boundary. All measurements should be taken to the center of the road or the center of the boundary.



Approved for
Client use only
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PROVISIONAL CONSTRAINTS

1. High quality
 2. Absolute quality
 3. Low quality
 4. Desirable for retention

5. Land off Direct Line
 6. Boundary of 17' Above
 7. Characteristic

The Constraints Plan

Client	WTC	Project No.	100
Date	10/10/10	Scale	1:100
Drawn by	J. Smith	Checked by	M. Jones
Drawn	10/10/10	Drawn off	10/10/10
Drawn	10/10/10	Drawn off	10/10/10