

## **TOWN AND COUNTRY PLANNING ACT 1990**

The Tree Preservation Order DFTPO219 – Coalway Road, Coalway

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 DFTPO219, Coalway Road, Coalway.

### **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 28<sup>th</sup> day of September 2016

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 8<sup>th</sup> day of December 2016

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

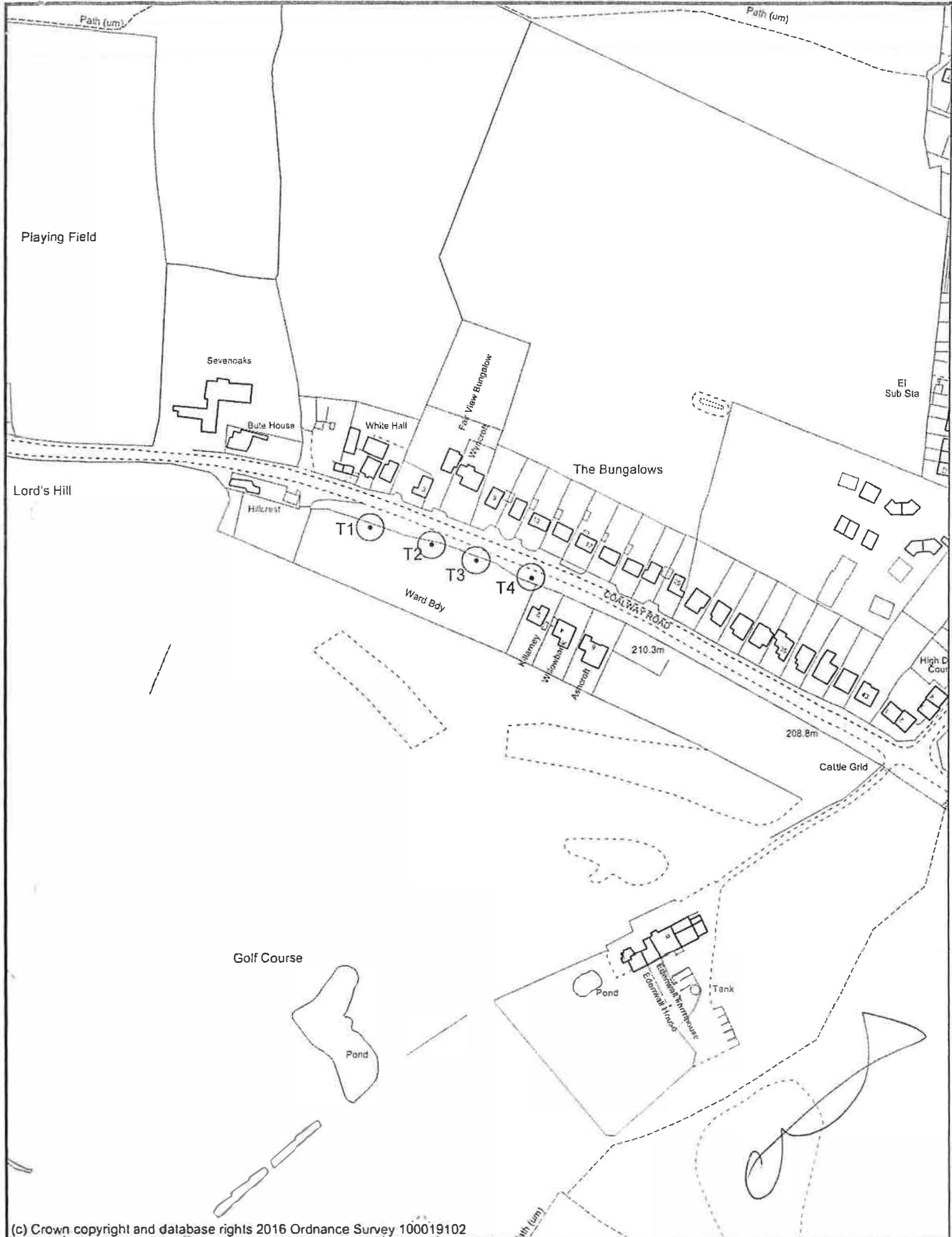
**REVOCAION OF ORDER**

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



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**Tree Preservation Order  
DFTPO219  
Coalway Road**

Scale: 1:2500

26 September 2016



SCHEDULE 1  
SPECIFICATION OF TREES

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

Reference on Map	Description	Situation
T1	Sycamore	SO 582105 (X358229, Y210556)
T2	Ash	SO582105 (X358263, Y210545)
T3	Ash	SO582105 (X358285, Y210538)
T4	Birch	SO582105 (X358315, Y210529)

**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**

## **DFTPO219 Coalway Road**

### **Introduction**

A Tree Preservation Order is recommended for four individual trees on Coalway Road (see Appendix A – B for TPO plan and photographs). The trees should be referred to as:

- T1 – Sycamore
- T2 – Ash
- T3 – Ash
- T4 - Birch

The Council received a TPO request from Coleford Town Council regarding five trees on Coalway Road due to their contribution towards maintaining the distinction between Coalway and Coleford. Works have since been carried out to some of the trees and other clearance work has taken place along this stretch of the road, considered to be related to the field below.

### **Desk Based Assessment**

The field is within the designated Coleford Locally Valued Landscape. The trees are located on the highway verge and on the boundary of the field to the south of Coalway Road.

The majority of the southern side of Coalway Road is free of development, with fields and a golf course present. There is outline planning permission for the erection of two dwellings at a neighbouring property, Hillcrest and application P0958/16/FUL is pending consideration for the erection of four dwellings within the Hillcrest site. It is not considered that this planning application will affect the trees in question.

### **Site Based Assessment**

The trees are prominent along Coalway Road. Recent works have been carried out on trees and vegetation along the roadside here with removed material visible in the field. The trees recommended for protection are four of six trees standing along this section of the road. Two of the six trees have wires and telegraph poles through their crowns. These two trees are likely to require ongoing management to maintain the wires and therefore are not recommended for protection. One of these trees, in the recent works had one stem removed, leaving it with an unbalanced form.

The Birch tree, T4 is situated on the roadside verge. Trees T1-T3 sit on the field boundary.

### **Consultation Responses**

No consultations have been made for the making of an Order. A search will be carried out to ascertain whether Gloucester County Council own the Birch tree, T4.

**Discussion**

**Visibility:** The trees recommended for protection are prominent from Coalway Road.

**Individual Impact:** These are prominent semi-mature/mature trees. T1 has had two lower limbs removed in recent works. It appears ivy has been severed on stems of some of the trees.

**Wider Impact:** The trees are prominent features and contribute to the street scene on Coalway Road. It is agreed that the trees are part of a green swathe separating Coalway from Coleford and that they contribute to maintaining a distinction between the two settlements. The trees are also within the Coleford Locally Valued Landscape which recognises landforms around Coleford town as a distinctive and attractive setting for the town and protects open land between the arc of settlements which sit on the forest margin to the north and east and Coleford town from all but essential development.

**Expediency:** Works have recently been carried out on the trees and vegetation along the field boundary.

A TPO is considered expedient.

**Conclusion of Discussion:** Four individual trees are considered to be of high amenity value from Coalway Road. It is considered that these trees merit protection.

**Alternatives to placing a Tree Preservation Order**

Do nothing. The Council's permission will not be required prior to carrying out works to or removing the trees.

**Recommendation**

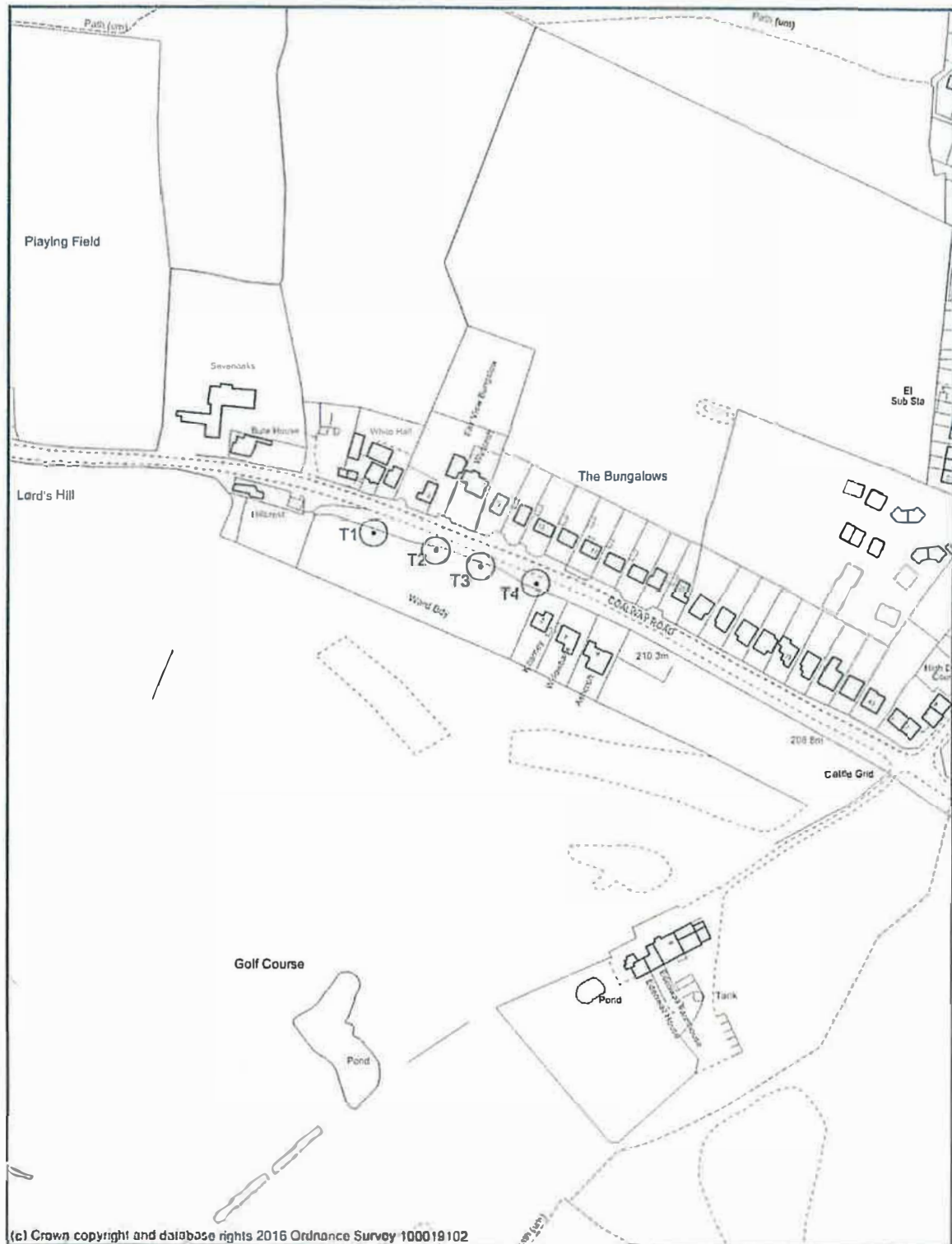
That provisional Tree Preservation Order DFTPO219 Coalway Road be made (T4 subject to confirmation of ownership).

JP

Planning and Housing Group Manager:..... *Anthony JBR* .....

Agreed / ~~Disagree~~ ..... Date: *26/9/2016* .....

Appendix A – TPO Plan



**Tree Preservation Order  
DFTPO219  
Coalway Road**

Scale: 1:2500

26 September 2016



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Appendix B – Photographs



26<sup>th</sup> September 2016

T2



T3



26<sup>th</sup> September 2016



