

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

The Tree Preservation Order DFTPO242 – The Old Grange Golf and Country Club, Dymock

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 DFTPO242, The Old Grange Golf and Country Club, Dymock

### **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.

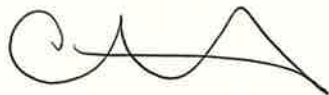
### **3. Application to trees to be planted pursuant to a condition**

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 12 day of October 2018

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.

**CONFIRMATION OF ORDER**

This Order was confirmed by the FOREST OF DEAN DISTRICT COUNCIL without modification on the 20 day of March 2019

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  
SCHEDULE 1  
SPECIFICATION OF TREES

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

Reference on Map	Description	Situation
T1	Horse Chestnut	Entrance to Golf and Country Club

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

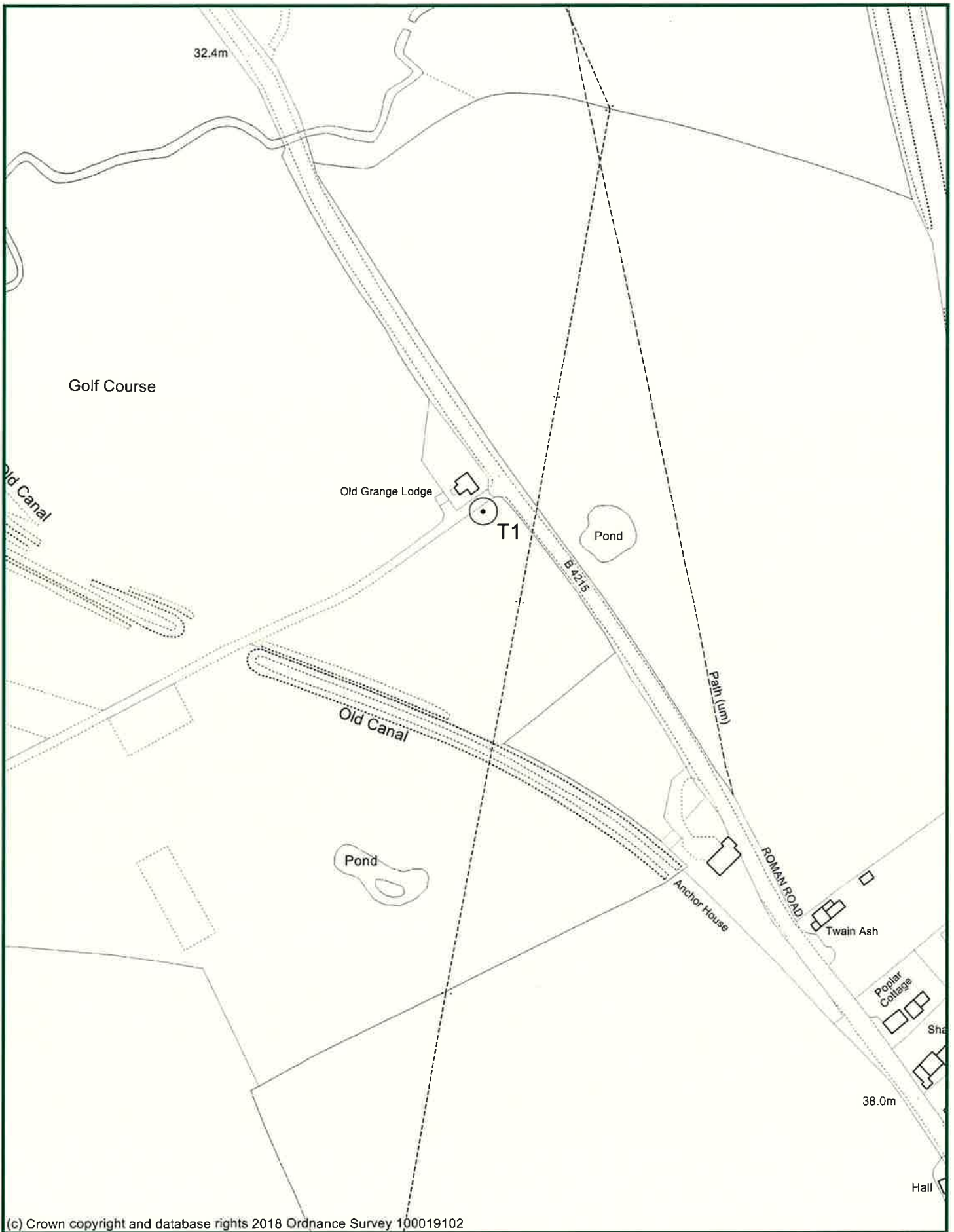
Reference on Map	Description	Situation
Nil		

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

Reference on map	Description	Situation
Nil		

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

Reference on map	Description	Situation
Nil		



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**Tree Preservation Order  
DFTPO242  
The Old Grange Golf and Country Club, Dymock**

Scale: 1:2000



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# **Report for a Tree Preservation Order**

**DFTPO242 Old Grange Golf and Country Club, Dymock**

## **Introduction**

A Tree Preservation Order is recommended for 1 Horse Chestnut tree at the Old Grange Golf and Country Club, Dymock (see Appendix A – B for TPO plan and photographs). The tree should be referred to as:

T1 – Horse Chestnut

Application P1212/18/TPO sought to carry out works to trees covered by G41 TPO147 at The Old Grange Golf and Country Club in order to provide clearances from 66kv power lines, on behalf of Western Power. This work was over and above the exemptions under the regulations afforded to statutory consultees. One of the trees within the application was a Horse Chestnut tree which upon closer inspection is not covered by the existing TPO.

## **Desk Based Assessment**

Application P1212/18/TPO proposed to carry out works to trees covered by G41 TPO147 in order to make nearby power lines storm resilient. Two trees were withdrawn from the application further to concerns regarding the impact of the proposed works on these trees. One of these was the Horse Chestnut tree in question.

G41 TPO147 (1969) covers 77 individual trees, six groups of trees and one area of trees at The Old Grange Golf and Country Club, Dymock.

The tree is adjacent to Leominster Road.

The Horse Chestnut tree was mistakenly taken to be covered by G41 TPO147 during application P1212/18/TPO.

## **Site Based Assessment**

The Horse Chestnut tree stands adjacent to a Lime tree which is covered by the existing TPO and next to that a Sycamore tree also covered by the TPO. The Horse Chestnut is the closest tree to the entrance of the site and nearest to Leominster Road.

## **Consultation Responses**

No consultations have been made for the creation of a new TPO.

## **Discussion**

**Visibility:** The tree is prominent from Leominster Road and the access of the Old Grange Golf and Country Club.

**Individual Impact:** This is a mature tree of good size and form.

**Wider Impact:** The tree contributes to the mature and well treed character of the site, whilst being a prominent feature as viewed from a public highway.

**Visible infrastructure constraints:** The tree is in proximity to 66kv power lines. An application was made which included a proposed reduction of this tree in order to achieve storm resilience for the lines. There was no evidence to suggest that the tree was in a poor condition or demonstrated any foreseeable failures that may put the lines at risk, other than being at a general risk, as with all trees, of failure during a storm event.

There are certain exemptions within the TPO regulations for statutory undertakers, for example to carry out works to protected trees in the interest of the safe operation of the undertaking and in connection with the inspection, repair or renewal of any apparatus.

**Expediency:** A crown reduction was proposed to the tree. No evidence has been submitted to suggest that it is at risk of damaging or endangering people, property or apparatus. Currently the tree is not protected by the existing TPO.

A TPO is considered expedient.


**Conclusion of Discussion:** One Horse Chestnut is considered to be of significant public amenity value and merits 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 tree.

**Recommendation**

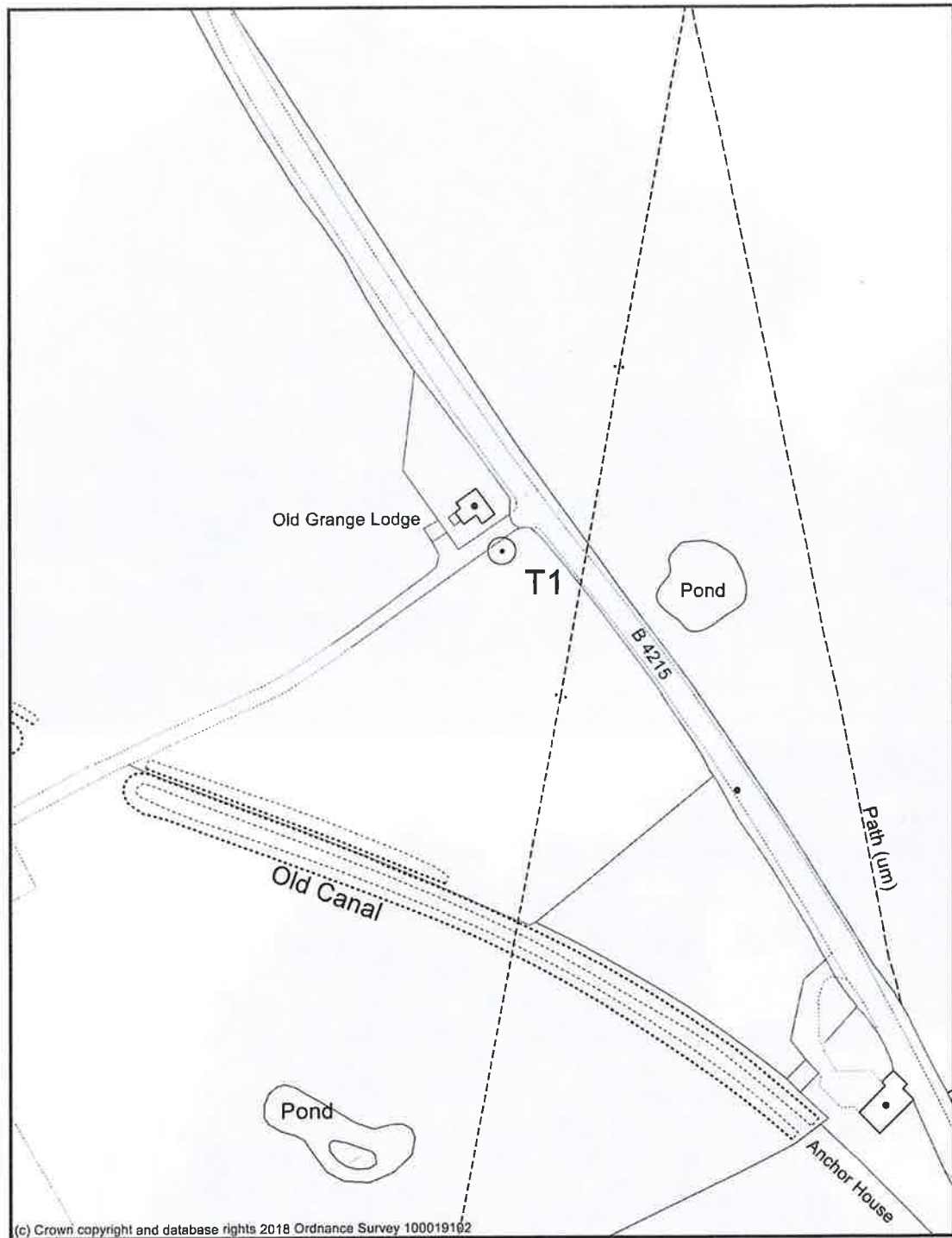
That provisional Tree Preservation Order DFTPO242 Old Grange Golf and Country Club, Dymock is made.

Signed:  .....

Printed: CLIVE REYNOLDS .....

Agreed / ~~Disagree~~ \* ..... Date: 5<sup>th</sup> Oct 2018 .....

Appendix A – TPO Plan



**Tree Preservation Order  
DFTPO242  
Old Grange Golf and Country Club, Dymock**

Scale: 1:1250



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Appendix B – Photographs





