

Tree Preservation Order

Town and Country Planning Act 1990

The SOUTH KESTEVEN DISTRICT COUNCIL (LAND ADJACENT. , 2 & 3 WILLOW BROOK, HARLAXTON TREE PRESERVATION ORDER 2021

The South Kesteven 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—

Citation

1. This Order may be cited as SOUTH KESTEVEN DISTRICT COUNCIL (LAND ADJACENT 2 & 3 WILLOW BROOK, HARLAXTON) TREE PRESERVATION ORDER 2021

Interpretation

2.— (1) In this Order “the authority” means the South Kesteven District Council
(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.

Effect

3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(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, uprooting, 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.

Application to trees to be planted pursuant to a condition

4. 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 **23rd June 2021**

[Redacted signature area]

istrict Council
of—

RICHARD WYLES
DIRECTOR



THIS ORDER WAS CONFIRMED BY THE SOUTH KESTEVEN DISTRICT COUNCIL
ON THE 04 AUGUST 2021

PRINCIPAL PLANNING OFFICER

SCHEDULE
Specification of trees

Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
NONE		

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

Reference on map	Description	Situation
NONE		

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

Reference on map	Description	Situation
NONE		

Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
W1	Woodland Mix Including But Not Exclusively: Sliver Birch, Ash, Field Maple and Hornbeam	Land Adj. 2 & 3 Willow Brook, Harlaxton



**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING
(TREE PRESERVATION)(ENGLAND)REGULATIONS 2012**

Tree Preservation Order:

**SOUTH KESTEVEN DISTRICT COUNCIL (LAND ADJACENT 2 & 3
WILLOW BROOK, HARLAXTON) TREE PRESERVATION ORDER
2021**

On 23rd June 2021 we made the above tree preservation order, and sent you a copy.

We have considered whether or not the order should be confirmed (or in other words, made permanent). On the 04 August 2021 the Council decided:

To confirm the order

The value of the protective woodland is collective. The purpose of the TPO is to protect it in the interest of amenity as a whole. On this basis, it is my recommendation that the TPO be confirmed in its current format.

For more information about our decision, please contact Catherine Sutton on 01476 406632.

If you wish to cut down, top or lop any of the trees described in the first schedule of the order and shown on the map enclosed with the order permission must be obtained from South Kesteven District Council before any work is carried out on the trees. If you require help or information please contact the Council's Development Management Services, South Kesteven District Council, Council Offices, St Peter's Hill, Grantham, NG31 6PZ.

If you disagree with our decision you can challenge it by applying to the High Court under section 284 (validity of development plans and certain orders, decisions and directions) of the Town and Country Planning Act 1990. You can apply to the High Court if you believe:

- (1) the order is not within the powers of the Town and Country Planning Act 1990; or
- (2) the requirements of Town and Country Planning (Tree Preservation) (England) Regulations 2012 have not been met.

You must apply to the High Court within six weeks from the date of our decision.

Signed  Dated 04 August 2021

Principal Planning Officer

LAND ADJACENT TO 2 & 3 WILLOW BROOK, HARLAXTON



