

**Tree Preservation Order**

Town and Country Planning Act 1990

**The SOUTH KESTEVEN DISTRICT COUNCIL (LAND AT 33 HARROWBY LANE/ 33D LIME GROVE GRANTHAM) TREE PRESERVATION ORDER 2015**

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 AT 33 HARROWBY LANE/ 33D LIME GROVE GRANTHAM) TREE PRESERVATION ORDER 2015

**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 31 July 2015

The Common Seal of South Kesteven District Council was affixed to this Order in the presence of—

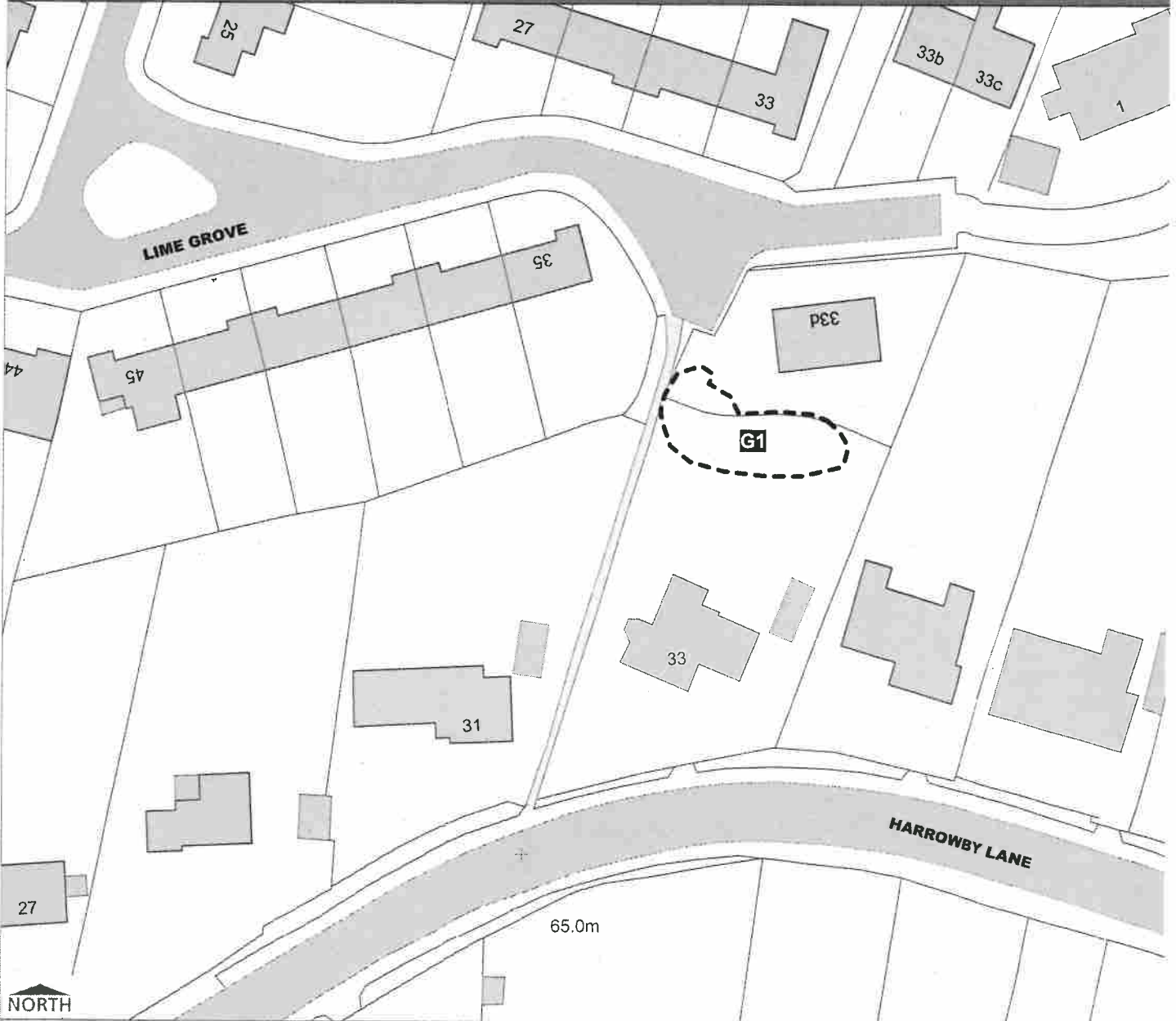
.....]  
[REDACTED]



A decision to confirm this Order was taken by South Kesteven District Council on the 19<sup>th</sup> November 2015

.....  
[REDACTED]

**TPO - 33 HARROWBY LANE / 33D LIME GROVE**



**South Kesteven District Council**

**Scale 1:750**

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## SCHEDULE

### Specification of trees

#### Trees specified individually (encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
[T1]	NONE	

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

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
[A1]	NONE	

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

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
[G1]	1 Weeping Willow 2 Lombardy Poplars 2 Lawson's Cypress 1 Leyland Cypress 1 Ash	Trees located in the rear gardens of 33 Harrowby Lane, Grantham, Lincolnshire and 33D Lime Grove, Grantham

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

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
[W1]	NONE	



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

**Tree Preservation Order: The SOUTH KESTEVEN DISTRICT COUNCIL (LAND AT 33 HARROWBY LANE / 33D LIME GROVE GRANTHAM) TREE PRESERVATION ORDER 2015**

On 31<sup>st</sup> July 2015 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 19<sup>th</sup> November 2015 the Council decided:

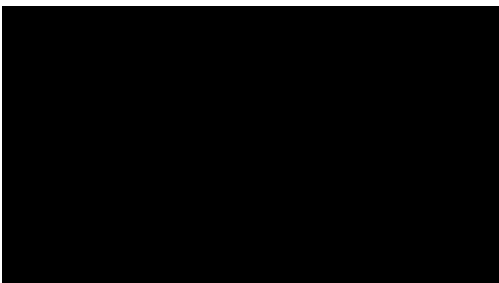
**To confirm the order**

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(a) (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.



.....  
Development

Dated 19<sup>th</sup> November 2015



**IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY**

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

Tree preservation order: SOUTH KESTEVEN DISTRICT COUNCIL (LAND AT  
33 HARROWBY LANE/ 33D LIME GROVE GRANTHAM) TREE  
PRESERVATION ORDER 2015

THIS IS A FORMAL NOTICE to let you know that on *31 July 2015* we made the  
above tree preservation order.

A copy of the order is enclosed. In simple terms, no one is allowed to cut down,  
top or lop without our permission any of the trees described in the 1st Schedule of  
the order and shown on the map.

Some information about tree preservation orders can be found in Planning  
Practice Guidance notes on the link below:-  
[http://planningguidance.planningportal.gov.uk/blog/guidance/tree-preservation-  
orders/tree-preservation-orders-general/](http://planningguidance.planningportal.gov.uk/blog/guidance/tree-preservation-orders/tree-preservation-orders-general/)

We have made the order as the trees in the area are integral to the rural  
character of the locality whose loss would damage the environment and its  
enjoyment by the public.

The order came into force, on a temporary basis, on *31 July 2015* and will remain  
in force for six months. During this time we will decide whether the order should  
be given permanent status.

People affected by the order have a right to object or make comments on any of  
the trees or woodlands covered before we decide whether the order should be  
made permanent.

If you would like to make any objections or comments, please make sure we  
receive them in writing by *31 August 2015*. Your comments must meet regulation  
6 of the Town and Country Planning (Trees) Regulations 2012 (a copy is  
attached). Please send your comments to:- Executive Manager Development  
and Growth, Development Control, South Kesteven District Council, Council  
Offices, St. Peter's Hill, Grantham NG31 6PZ. We will carefully consider all  
objections and comments before deciding whether to make the order permanent.

We will write to you again when we have made our decision. In the meantime, if  
you would like any more information or have any questions about this letter,  
please contact Mr N Bryan at the above address - Telephone No: 01476 406080

Dated: *31 July 2015*

Signed:

Strategic [REDACTED] Growth Focus on behalf of South Kesteven  
District Council, Council Offices, St. Peter's Hill, Grantham, NG31 6PZ