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|---|---------------------------------------|
| Committee: | Dated: |
| Planning and Transportation | 20th September 2022 |
| Subject: Thavies Inn House, 3 - 4 Holborn Circus, London EC1N 2HA To confirm a group Tree Preservation Order (TPOs) on the London Plane Trees (<i>Platanus x acerifolia</i>) situated on the public highway on St Andrew Street, to the front of Thavies Inn House | Public |
| Ward: Castle Bayard | For Decision |
| Registered No: | Registered on: |
| Conservation Area: No | Listed Building: No |

Summary

A group Tree Preservation Order cited as the Thavies Inn Tree Preservation Order (2022) (“the TPO”) in respect of two London Plane Trees (T1 and T2) (*Platanus x acerifolia*) situated on the footway of the Public Highway on St Andrew Street, to the front of Thavies Inn House, was made on 20th April 2022. It was served on persons interested in the land affected by the Order in accordance with Regulation 5(1) of the Town and Country Planning (Tree Preservations) (England) Regulations 2012 on 21st April 2022.

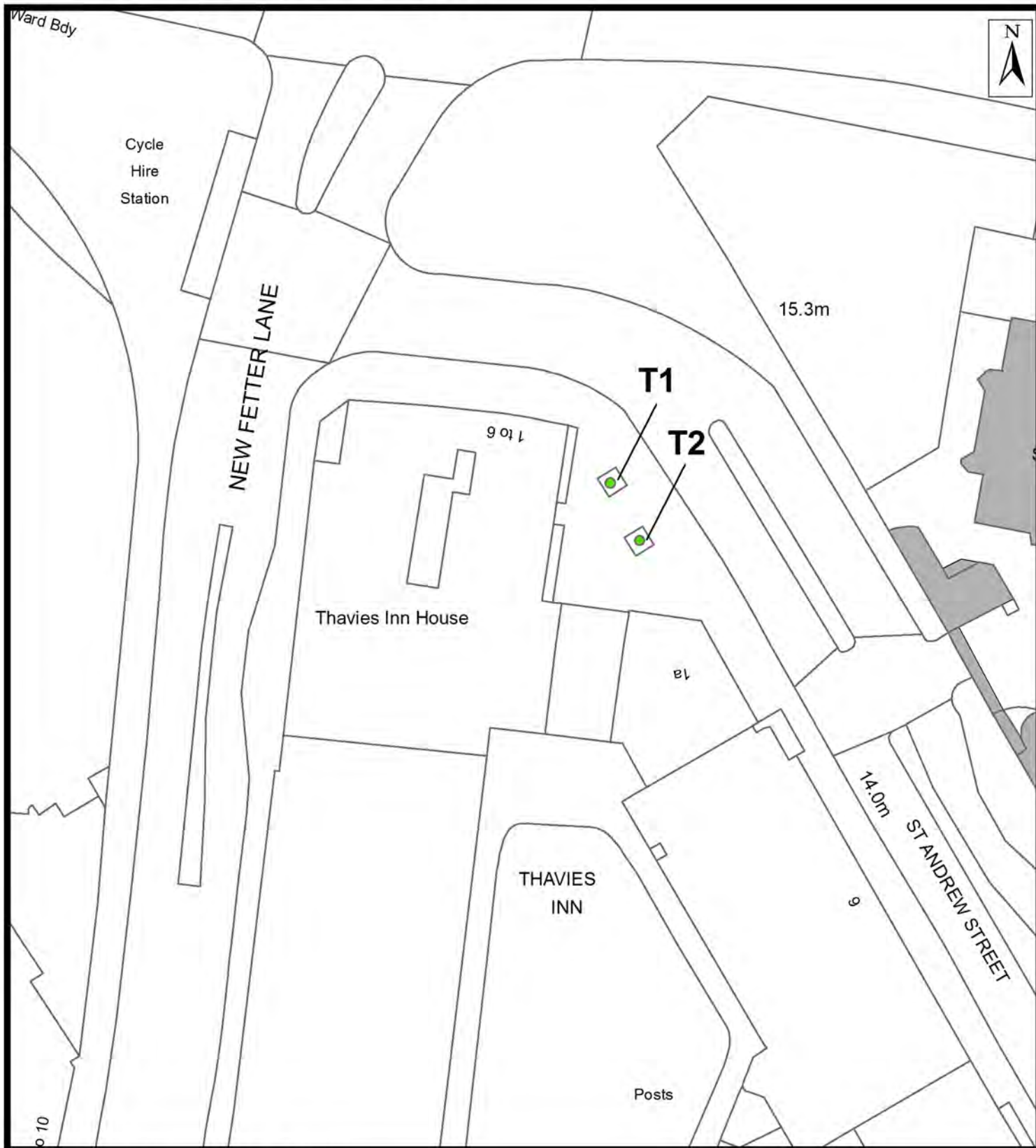
One representation has been received from Cornerstone Telecommunications Infrastructure Limited following liaison with Telefonica and Vodafone. The representation explains that ‘We’re not aware of the growth rate of these trees, but if they grow much higher, we may need to apply to prune them, to ensure the safety of people working at the top of the trees in relation to compliance with the ICNIRP guidelines. It may be that routine maintenance means this will not be needed, but just wanted to keep you informed of the potential so that there’s no surprise given the TPO if an application is submitted in the future.’

To continue to have effect after the expiration of 6 months from when the TPO was made it must be confirmed within a 6-month period.

Recommendation

That the Thavies Inn Tree Preservation Order (2022) be confirmed without modification.

Tree Location Plan



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ADDRESS:

Thavies Inn House, 3-4 Holborn Circus,
London EC1N 2HA

KEY

Tree location



T1



ENVIRONMENT DEPARTMENT

Background Information

A report was presented to the Planning and Transportation Committee on the 22nd February 2022, as a public item, seeking the Committee's authority to make the group TPO in respect of two London Plane trees (*Platanus x acerfolia*) situated on the footway of the Public Highway on St Andrew Street, to the front of Thavies Inn House. The TPO was recommended on the grounds that the two trees are considered to be of significant amenity value as a group of trees in that they enhance the quality of the townscape. It was considered to be expedient because a planning application had been submitted to redevelop Thavies Inn House which would result in the removal of the two London Plane trees.

The Planning and Transportation Committee resolved to grant planning permission for this proposal on 1st July 2022. It is considered to be expedient to confirm the TPO as there is no guarantee that this planning permission will be implemented.

Consultations

A copy of the TPO, Regulation 5 and covering letters were posted on 21st April, by recorded delivery, to 16 persons/companies with registered interests in the land and adjoining property.

Objections or other representations in respect of the Order may be made to the local planning authority for a period of at least 28 days.

One representation has been received from Cornerstone Telecommunications Infrastructure Limited following liaison with Telefonica and Vodafone. The representation explains that 'We're not aware of the growth rate of these trees, but if they grow much higher, we may need to apply to prune them, to ensure the safety of people working at the top of the trees in relation to compliance with the ICNIRP guidelines. It may be that routine maintenance means this will not be needed, but just wanted to keep you informed of the potential so that there's no surprise given the TPO if an application is submitted in the future.'

Additional Information

To continue to have effect after the expiration of 6 months from when the TPO was made it must be confirmed within the 6 month period.

The confirmation of a TPO cannot be appealed. However, any subsequent refusal of an application for removal of or works to a protected tree or imposition of conditions upon consent can be appealed to the Secretary of State via the Planning Inspectorate.

Anyone proposing to carry out works to a tree or trees subject to a TPO must seek permission from the Local Planning Authority. This involves completing an application form identifying the trees, detailing the works proposed and explaining the reasons for the works.

The Local planning Authority would inspect the trees prior to making a decision and may recommend alternative works or refuse consent. If authorisation is given to fell a

protected tree, a new tree would usually be required to be planted as a replacement. However, this would in turn require a new TPO to be served.

If a tree protected by a TPO is felled, pruned or wilfully damaged without consent, both the person who carried out the works and the tree owner are liable to be fined up to £20,000 through the Magistrates Court or, if taken to the Crown Court, an unlimited fine. There are exceptional circumstances, such as when a tree is dead, dying or dangerous, when permission is not required. However, in order to avoid the risk of prosecution advice must be sought from the authority and five days' notice given before carrying out any works (except in an emergency).

Evaluation

The evaluation carried out prior to making the TPO (as set out in the report to Planning and Transportation Committee of 22nd February 2022) concluded that the trees are considered to be of significant amenity value as a group of trees in that they enhance the quality of the townscape. It was considered to be expedient because a planning application had been submitted to redevelop Thavies Inn House which would result in the removal of the two London Plane trees.

Whilst Planning and Transportation Committee resolved to grant planning permission for the redevelopment of Thavies Inn House, which would result in the loss of these two trees, it is considered to still be expedient to confirm the TPO as there is no guarantee that this planning permission would be implemented. Any change in ownership of the application site (and potential change in approach of any new owner/applicant) is outside the control of the authority. A TPO will ensure that the amenity value of the protected tree(s) is acknowledged and given appropriate weight in the event that a revised or alternative application is made in the future.

The representation submitted by Cornerstone Telecommunications Infrastructure Limited explains that the telecommunications operators who have equipment on the roof of Thavies Inn House may need to prune the trees in the future. If this work needs to take place the telecommunications operators would need to seek permission from the Local Planning Authority.

Conclusions

It is recommended that the TPO be confirmed for the reasons set out above.

Background Papers

Report to Planning and Transportation Committee 22nd February 2022

Tree Preservation Order sealed 20th April 2022

Copy of the Regulation 5 notice

Appendix A

Relevant London Plan Policies

Policy G7 (Trees and Woodlands) states that “London’s urban forest and woodlands should be protected and maintained, and new trees and woodlands should be planted in appropriate locations in order to increase the extent of London’s urban forest – the area of London under the canopy of trees.”

Relevant Local Plan Policies

CS19 Improve open space and biodiversity

To encourage healthy lifestyles for all the City's communities through improved access to open space and facilities, increasing the amount and quality of open spaces and green infrastructure, while enhancing biodiversity

Relevant Draft City Plan 2036 Policies

OS2 City Greening

OS3 Biodiversity

OS4 Trees

S15 Climate resilience and flood risk

Background Papers

Report to Planning and Transportation Committee 22nd February 2022

Tree Preservation Order sealed 20th April 2022

Copy of the Regulation 5 notice

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| Planning and Transportation | 22nd February 2022 |
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Summary

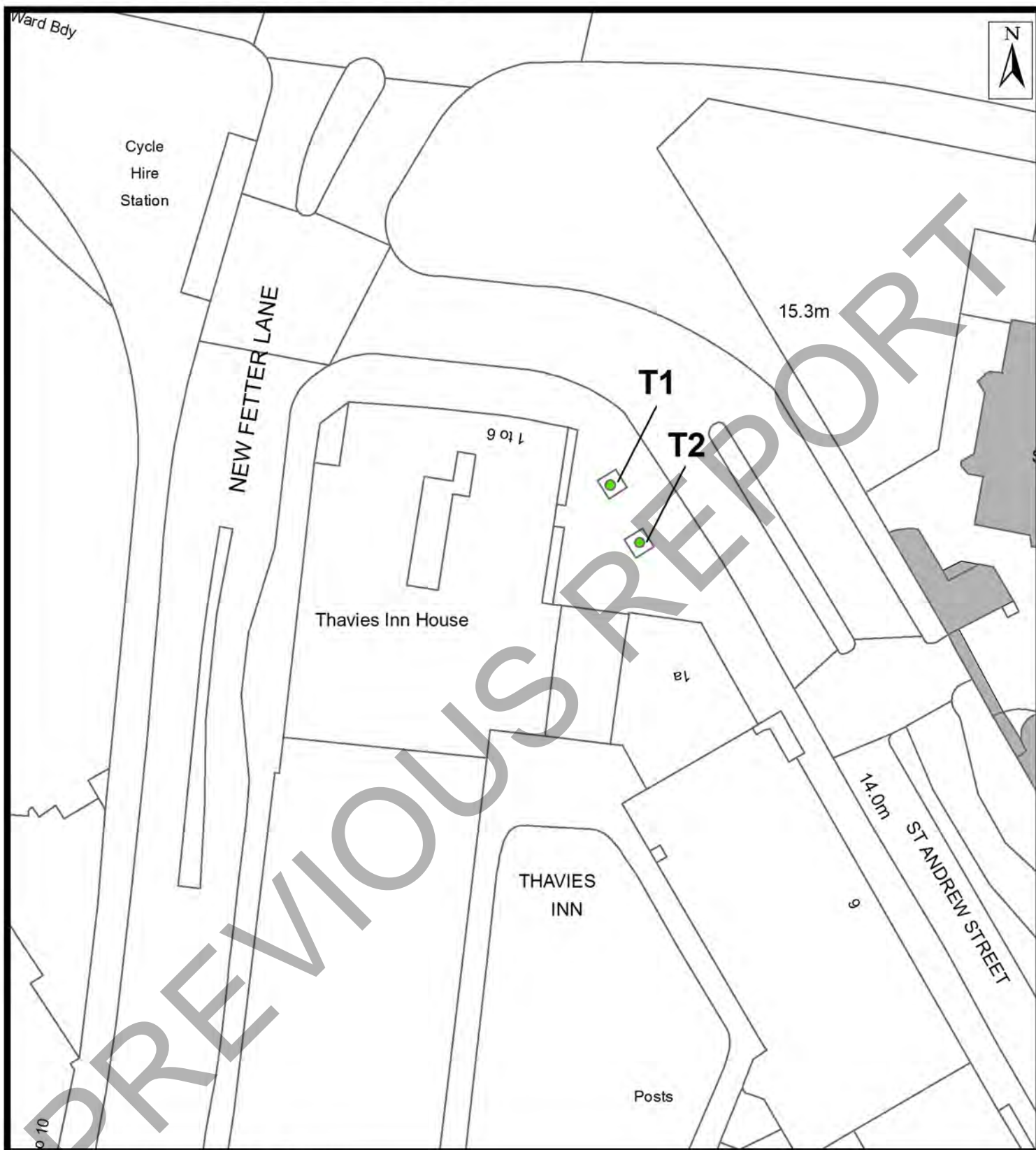
It is proposed that the two London Plane trees (T1 and T2) (*Platanus x acerifolia*) situated on the footway of the Public Highway on St Andrew Street, to the front of Thavies Inn House are made the subject of a group TPO. This is in recognition of their high amenity value. The Public Highway where the trees stand would form part of the Thavies Inn House development site and the trees are therefore considered to be vulnerable. A group TPO would provide an appropriate management framework.

The trees, which are circa 75 years old are considered to be of high amenity value, enhancing the townscape, whilst providing a public and potential biodiversity resource. Their removal would have a negative impact on the local amenity and its enjoyment by the public. As such it is considered that the trees meet the necessary criteria in terms of what trees can be made the subject of a Tree Preservation Order.

It is considered to be expedient to make the Tree Preservation Order. If these trees are the subject of a group TPO the City can insist on their replacement should they be lost.

The City Gardens Manager has inspected the trees.

Tree Location Plan



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ADDRESS:

Thavies Inn House, 3-4 Holborn Circus,
London EC1N 2HA

KEY

Tree location



T1



ENVIRONMENT DEPARTMENT

Report

Site and Surroundings

1. Thavies Inn House lies adjacent to Holborn Circus and is bounded by St Andrew Street to the east, New Fetter Lane to the west and Thavies Inn and adjoining buildings to the south. Two London Plane trees are located adjacent to the building on the St Andrew Street footway which is adopted Public Highway.
2. The site is not located within a Conservation Area.

Proposal

3. To make a group Tree Preservation Order (TPOs) on the London Plane Trees (*Platanus x acerifolia*) situated on the public highway on St Andrew Street, to the front of Thavies Inn House

Background

4. A planning application has been submitted to redevelop Thavies Inn House. The proposals include the stopping up and development of this part of St Andrew Street and subsequently the loss of the two London Plane Trees.

Relevant Legislation and Guidance

5. Under section 198 of the Town and Country Planning Act 1990, the Local Planning Authority (LPA) has the power to make a Tree Preservation Order if it appears to them to be 'expedient in the interests of amenity' to make provision for the preservation of trees in their area.
6. National Planning Practice Guidance sets out guidance for the implementation of the Tree Preservation Order system. The Planning Practice Guidance on Tree Preservation Orders states that when deciding whether an Order is appropriate, LPAs are advised to take into consideration:
 - what 'amenity' means in practice and what to consider when assessing amenity value,
 - what 'expedient' means in practice,
 - what trees can be protected and how they can be identified.
7. Before making or confirming an Order the LPA should be able to show that protection would bring a reasonable degree of public benefit in the present or future. The PPG states that Local Planning Authorities may make Orders in relation to land that they own
8. Amenity is not defined in law, so the LPA must exercise judgment when deciding whether it is within their power to make an Order. Orders should be used to protect selected trees if their removal would have a significant negative impact on the local environment and its enjoyment by the public.

9. Authorities are advised to take into account:

1) Visibility

- The extent to which the trees can be seen by the public. This will inform the assessment as to whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public. However, this alone is not sufficient to warrant an Order.

2) Individual, collective and wider impact. Reference should be made to:

- Size and form
- Future potential as an amenity
- Rarity, cultural or historic value
- Contribution to, and relationship with, the landscape; and
- Contribution to the character or appearance of a conservation area

3) Other factors to consider:

- Importance to nature conservation
 - Response to climate change.
- These factor alone would not warrant making an Order.

Expediency

10. LPAs are advised that although some trees may merit protection on amenity grounds it may not be expedient to make them the subject of an Order. For example, trees under good arboricultural management. However, it may be expedient to make an Order if it is believed that there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. There does not need to be an immediate risk. In some cases the LPA may believe that certain trees are at risk as a result of development pressures and in the interest of amenity may consider it expedient to make an Order. Other sources of risk with significant amenity value could include changes in property ownership. Intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.

What trees can be protected and how they can be identified

11. An Order can be used to protect individual trees, trees within an area and groups of trees and the trees can be of any size or species. Where a tree is on Crown land authorities can make an Order without the consent of the appropriate Crown body, however the matter should be discussed with that body prior to making the Order. Suitable candidates for Tree Preservation Orders can be identified using the factors listed above.

Tree Preservation Order Procedure

12. The making of a Tree Preservation Order is essentially a two-stage process.
 - The first stage is the making of the Order by the LPA. The Order will come into effect on the day it is made and notice of the making of the Order must be given in accordance with the Town and Country Planning (Tree Preservation) (England) Regulations 2012. This requires, that persons interested in the land affected by the Order are notified and given the opportunity to submit objections and/or representations on the Order before confirmation.
 - The second stage of the process is the confirmation of the Order by the LPA. The provisional effect lasts six months unless the local planning authority either confirms the Order, (with or without modifications), or decides not to confirm it (before the expiry of the six month period). Where objections and representations are made, the LPA is required to take them into consideration before making a decision.
13. The making of a TPO does not preclude a tree from being removed in the future. The TPO ensures that an applicant must seek permission to prune or remove trees from the Local Planning Authority before commencing works. A TPO will ensure that the amenity value of the protected tree(s) is acknowledged and given appropriate weight when considering a planning application affecting a protected tree. Any approved planning permissions for developments which requires the felling or pruning of protected trees override any applicable TPOs.

Compensation

14. Section 203 of the Town and Country Planning Act 1990 provides that a Tree Preservation Order may make provision for the payment by the LPA of certain compensation in respect of loss and damages incurred by the refusal of consent required by the Tree Preservation Order. Similar provisions apply generally to Tree Preservation Orders made post 2012 pursuant to Regulation 24(4)(b) & (d) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012. (Compensation is generally payable for loss or damage incurred in consequence of refusal of consent to remove or reduce protected trees. Compensation is not payable for loss of development value of the land.)

Policy

15. The development plan consists of the London Plan 2021 and the City of London Local Plan 2015. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report
16. The City of London has prepared a draft plan, the City Plan 2036, which was published for Regulation 19 consultation in early 2021. Onward progress of the Plan has been temporarily paused to enable further refinement, but it remains a material consideration in the determination of applications (although not part of the development plan) alongside the adopted 2015 City of London Local Plan and the London Plan 2021.

17. Government Guidance is contained in the National Planning Policy Framework (NPPF) 2021 and the Planning Practice Guidance (PPG) which is amended from time to time.
18. The City of London Local Plan, adopted January 2015, seeks to protect the amenity value of trees and retain and plant more trees wherever practicable. (Core Strategy Policy CS19: Open Spaces and Recreation)
19. The City of London Tree Strategy Supplementary Planning Document, adopted May 2012, seeks to:
 - Objective 1
To protect, manage and enhance the existing tree stock in its environment, in accordance with good arboricultural practice.
 - Objective 2
To safeguard trees which are subject to Tree Preservation Orders and create new Tree Preservation Orders, including trees in conservation areas, when considered expedient to do so.
20. Section 72 of the Planning (Listed Building and Conservation) Act 1990 provides that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under the planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In this case this is not relevant as the premises do not lie within a conservation area.
21. The PPG states that if trees merit protection in their own right, LPAs should make them the subject of individual TPOs. The group category should only be used to protect groups of trees where the value of the group merits protection.

Arboricultural Advice and Assessment

22. The City Gardens Manager has inspected the trees at the site from ground level and is of the opinion that the combined impact of both trees as a single group is of sufficient amenity value to warrant the making of a TPO.
23. The trees in question (T1 & T2 on the attached plan) when looked at as a pair, are together considered to be of high amenity value and contribute to the character and appearance of the townscape.
24. The canopy of these two trees are prominent in views from the east, south and north and hold a significant role in the townscape form of Holborn Circus. They also help frame an important view of the Grade 1 listed Church of St Andrew Holborn and visually balance with the churchyard planting, predominantly to the north of the Church.
25. In considering the future potential of the trees regard should be had to the potential for growth and whether they have room to grow unchecked by pruning; whether they will be able to achieve/maintain a full crown size and whether they

will continue to offer a reasonable degree of amenity value for the public in the future. An initial assessment suggests that the trees appear to be in fair/good health and should therefore continue to grow. T1 has been planted in close proximity to Thavies Inn House and requires regular pruning back on that side, however in regards to its height, this tree has yet to achieve its ultimate height and maximum potential in respect of its impact and amenity value. Both trees are in fair/good health and, have no external signs of any significant internal weaknesses. The City Gardens Manager considers that both trees have a life expectancy of in excess of 40 years.

26. T1 tree has attained a good height and form and is a good specimen of a *Platanus x acerfolia*. T2 is a smaller, younger tree that has a poorer form. It has an asymmetrical crown which is a result of being suppressed by T1, it grows away from the buildings towards the road. The structure and form of the branches are such that it will not achieve the height and stature of T1. However this should not detract from the fact that the combined amenity provided by these two trees standing side by side, forming a single canopy is high, and their removal would have a significant impact on the local environment.
27. The Arboricultural Report submitted as part of the planning application referred to at paragraph 4 of this report states that the larger of the two trees (T1) is considered to be a Category B1/B2 tree and the smaller tree (T2) is considered to be a Category C1/C2 tree under British Standard 5837 entitled "Trees in Relation to Design, Demolition and Construction". This Standard details the steps that should be taken to ensure that trees are appropriately and successfully retained when a development takes place by adopting a categorization method used to identify the quality and value (non fiscal) of the existing tree stock. This facilitates informed decisions as to which trees should be removed or retained in the event of development taking place. This is a different assessment to that applicable when considering if a tree or trees warrant protection by virtue of a TPO; *'that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'*. Government guidance advises that if it is expedient, TPOs should be served on trees and woodlands where their removal would have a significant negative impact on the enjoyment of the local landscape by the public.
28. In terms of climate change mature trees play a significant part in climate change resilience. Trees in cities convert large amounts of carbon dioxide to replenish our oxygen levels, filter out harmful air borne particles, provide shade and reduce water and air temperatures. They are also important to nature conservation helping to conserve and preserve wildlife providing for example nesting sites to a range of wildlife.

Expediency

29. A planning application has been submitted to redevelop Thavies Inn House which would result in the removal of the two London Plane trees.
30. The redevelopment scheme has been the subject of extensive pre-application discussions, which have taken place over approximately the last three years. When evaluating and negotiating the scheme Officers have had regard to the

high amenity value of the two London Plane trees. In discussion with the applicant the principle that (were permission to be granted and the trees to be removed), appropriate tree replacement would be required, has been promoted by the authority and acknowledged by the applicant. However, the outcome of the planning application, nor, if approved, the terms of any planning conditions, cannot be prejudged. Any change in ownership of the application site (and potential change in approach of any new owner/applicant) is outside the control of the authority. In the light of the known development pressure on the trees it is considered expedient to make the TPO to ensure the amenity value of the trees is formally acknowledged and appropriately protected.

Recommendation

31. For the above reasons T1 and T2 are considered to be of high amenity value as a group of trees in that they enhance the quality of the townscape. Their removal would have a negative impact on the local environment and its enjoyment by the public. As such it is considered that the trees meet the necessary criteria for a group TPO and it would be expedient to make a group Tree Preservation Order in respect of two London Plane trees, (numbered T1 and T2 on the attached plan), as a public benefit would follow from the serving of the Order.
32. It is further recommended that the Comptroller and City Solicitor be instructed to serve a copy of the Order on persons interested in the land affected by the Orders in accordance with Regulation 5(1) of the Town and Country Planning (Tree Preservations) (England) Regulations 2012.

Appendix A

Relevant London Plan Policies

Policy G7 (Trees and Woodlands) states that “London’s urban forest and woodlands should be protected and maintained, and new trees and woodlands should be planted in appropriate locations in order to increase the extent of London’s urban forest – the area of London under the canopy of trees.”

Relevant Draft City Plan 2036 Policies

OS2 City Greening

OS3 Biodiversity

OS4 Trees

S15 Climate resilience and flood risk

Relevant Local Plan Policies

CS19 Improve open space and biodiversity

To encourage healthy lifestyles for all the City's communities through improved access to open space and facilities, increasing the amount and quality of open spaces and green infrastructure, while enhancing biodiversity.

TOWN AND COUNTRY PLANNING ACT 1990

Thavies Inn Tree Preservation Order (2022)

The City of London Corporation, in exercise of the powers conferred on them by sections 198 of the Town and Country Planning Act 1990 hereby make the following Order—

Citation

1. This Order may be cited as the Thavies Inn Tree Preservation Order (2022)

Interpretation

2. (1) In this Order “the authority” means the City of London Corporation.

(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, 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 for 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 20th day of April 2022

THE COMMON SEAL OF)
THE MAYOR AND COMMONALTY)
AND CITIZENS OF THE CITY OF)
LONDON was hereunto affixed in the)
presence of:)



Authorised Signatory

Debal 

FIRST SCHEDULE
SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

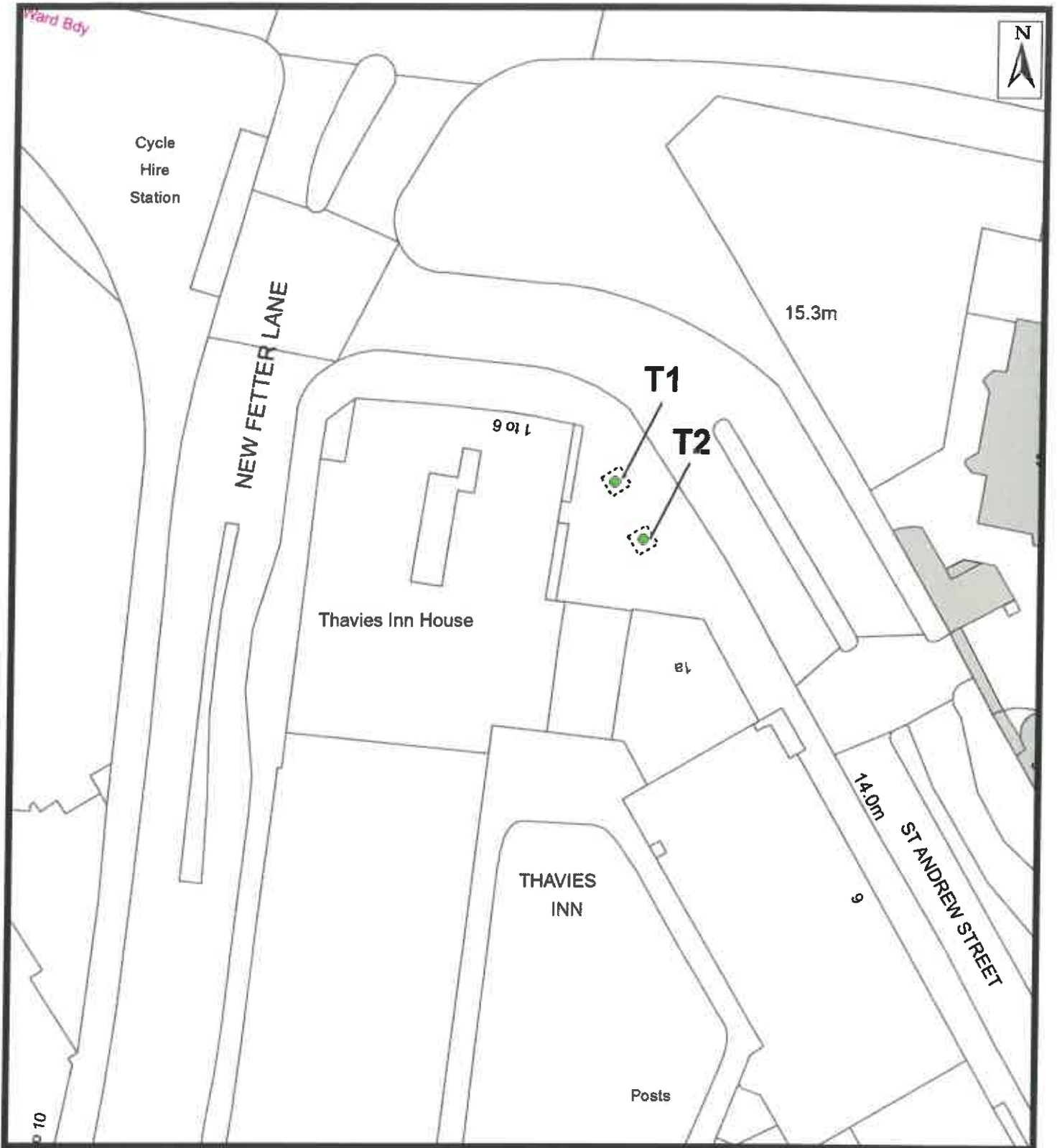
None

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

None

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

| No. on Map | Description | Situation |
|-------------------|---|---|
| T1 | London Plane (Platanus x acerifolia) | Public Highway on St Andrew Street, to the front of Thavies Inn House. |
| T2 | London Plane (Platanus x acerifolia) | Public Highway on St Andrew Street, to the front of Thavies Inn House. |



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ADDRESS:

Public Highway on St Andrew Street, to the front of Thavies Inn House

Trees subject to tree preservation order

-  T1
-  T2

Debal Aneta



CONFIRMATION OF ORDER

This Order was confirmed by the City of London Corporation without modification on the day of

THE COMMON SEAL OF)
THE MAYOR AND COMMONALTY)
AND CITIZENS OF THE CITY OF)
LONDON was hereunto affixed in the)
presence of:)

Authorised Signatory

OR

This Order was confirmed by the City of London Corporation subject to the modifications indicated by on the day of

THE COMMON SEAL OF)
THE MAYOR AND COMMONALTY)
AND CITIZENS OF THE CITY OF)
LONDON was hereunto affixed in the)
presence of:)

Authorised Signatory

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by the City of London Corporation on the day of

THE COMMON SEAL OF)
THE MAYOR AND COMMONALTY)
AND CITIZENS OF THE CITY OF)
LONDON was hereunto affixed in the)
presence of:)

Authorised Signatory

VARIATION OF ORDER

This Order was varied by the City of London Corporation on the day by a
variation order under reference number a copy of which is attached

THE COMMON SEAL OF)
THE MAYOR AND COMMONALTY)
AND CITIZENS OF THE CITY OF)
LONDON was hereunto affixed in the)
presence of:)

Authorised Signatory

REVOCAATION OF ORDER

This Order was revoked by the City of London Corporation on the day of

THE COMMON SEAL OF)
THE MAYOR AND COMMONALTY)
AND CITIZENS OF THE CITY OF)
LONDON was hereunto affixed in the)
presence of:)

Authorised Signatory

| | |
|--------------------|----------------|
| Examined | F. Francis |
| Clerk/Court | Pet Clerk |
| Date | 22.02.22 |
| Passed for Sealing | 13.04.22 |
| Fund | City Fund |
| Power | 5198 TCPA 1990 |
| Seal Folio No. | 2022/262 |

Regulation 5 of the Town and Country Planning (Trees)(England) Regulations 2012

REASON FOR MAKING THE ORDER

The reasons for making the order are that the two London Plane trees (*Platanus x acerifolia*), are considered to be of significant amenity value as a group of trees, enhancing the townscape, whilst providing a public and potential biodiversity resource.

CONFIRMATION OF ORDER

It is anticipated that this order will be confirmed as it is, with variations, or alternatively revoked within six months of the date of this order.

Objections or other representations with respect to the trees specified in this order must be made in writing to the City Corporation and received no later than 20 May 2022.

Objections and representations should be made in accordance with Regulation 6 of the Town and Country Planning (Tree Preservation)(England) Regulations 2012. Regulation 6 is copied below for ease of reference.

OBJECTIONS AND REPRESENTATIONS

Objections and representations

6.(1) Subject to paragraph (2), objections and representations—

(a) shall be made in writing and—

(i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or

(ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and

(c) in the case of an objection, shall state the reasons for the objection.

(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.