

Dated 9th day of December 2013

Town and Country Planning Act 1990

THE MAIDSTONE BOROUGH COUNCIL

TREE PRESERVATION ORDER NO.15 OF 2013

Relating to Trees at Nurses Home, Hermitage Lane, Maidstone

Town and Country Planning Act 1990

The Tree Preservation Order No. 15 of 2013

The Maidstone Borough 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 Tree Preservation Order 2013.

Interpretation

2.

- (1) In this Order "the authority" means the Maidstone Borough 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 2011.

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 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 9th day of December 2013.

Signed on behalf of the Maidstone Borough Council

R. L. Jarman

Head of Planning and Development or Chief Executive [delete as appropriate]
Authorised by the Council to sign in that behalf

SCHEDULE

Article 3

Specification of trees

Trees specified individually (encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Silver Birch	North-West of Oakapple House Adj Springwood Road, Maldstone
T2	Silver Birch	-----"
T3	Silver Birch	-----"
T4	Pine	North of Nurses Home, South of Oakapple Lane, Maldstone
T5	Pine	-----"
T6	Pine	-----"
T7	Pine	-----"
T9	Cedar	-----"
T10	Silver Birch	-----"

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

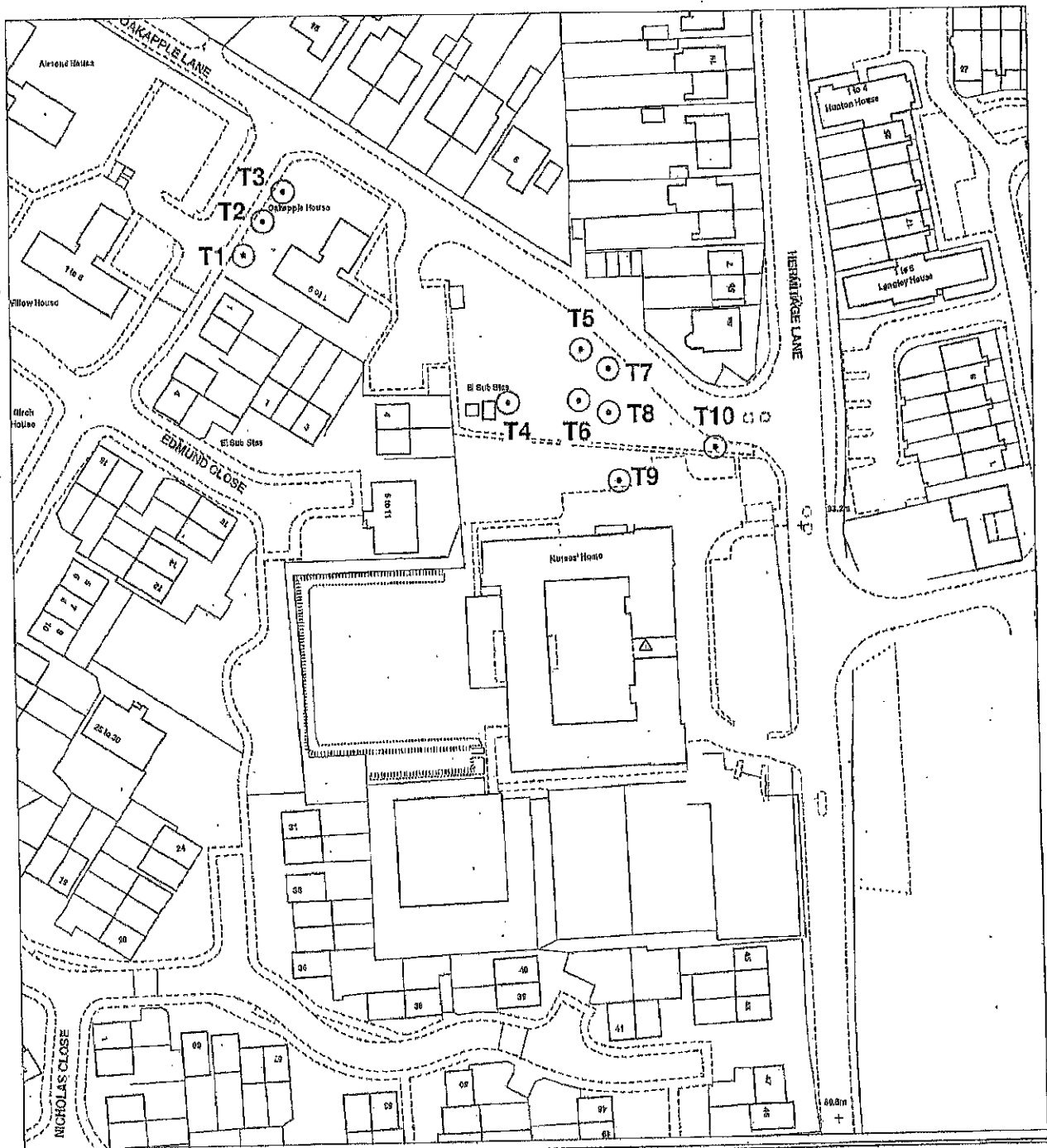
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
NONE		

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

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
NONE		

Woodlands (within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
NONE		



THE MAIDSTONE BOROUGH COUNCIL
Tree Preservation Order No. 15 of 2013
Trees at The Nurses Home, Hermitage Lane,
Maidstone.

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Schedule

Individual Trees: T1 to T3 Silver Birch, T4 to T8 Pine, T9 Cedar, T10 Silver Birch.

Groups of Trees: None

Areas of Trees: None

Woodlands: None

Extract from OS Map TQ7355
 Scale 1:1250

Signed *R. LL Jarnon*

Date *9/12/13*

[Chief Executive]
 [Head of Planning and Development]
 [delete as appropriate]
 as authorised signatory

CONFIRMATION OF ORDER

[This Order was confirmed by the Maidstone Borough Council without modification on the [] day of [insert month and year]

OR

This Order was confirmed by the Maidstone Borough Council, subject to the modifications indicated by [state how indicated], on the [] day of [insert month and year]

Signed on behalf of the Maidstone Borough Council

.....
Head of Planning and Development or Chief Executive [delete as appropriate]
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 Maidstone Borough Council on the [] day of [insert month and year]

Signed on behalf of the Maidstone Borough Council

.....
Head of Planning and Development or Chief Executive [delete as appropriate]
Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Maidstone Borough Council on the [] day of [insert month and year] by a variation order under reference number [insert reference number to the variation order] a copy of which is attached

Signed on behalf of the Maidstone Borough Council

.....
Head of Planning and Development or Chief Executive [delete as appropriate]
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Maidstone Borough Council on the [] day of [insert month and year]

Signed on behalf of the Maidstone Borough Council

.....
Head of Planning and Development or Chief Executive [delete as appropriate]
Authorised by the Council to sign in that behalf