

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 2012

TOWN AND COUNTRY PLANNING ACT 1990

**THE WARRINGTON BOROUGH COUNCIL (WHITBARROW FARM, LYMM) TREE
PRESERVATION ORDER (2012)
(TPO 494)**

The Warrington Borough Council, 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 Warrington Borough Council (Whitbarrow Farm, Lymm) Tree Preservation Order (2012).

Interpretation

2. (1) In this Order “the authority” means the Warrington 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 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 26th day of April 2012.

THE COMMON SEAL of the **WARRINGTON
BOROUGH COUNCIL** was hereunto
affixed in the presence of –

J. M. L.

Authorised Signatory



SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation
T1	Ash	In the hedge abutting Lymm Golf Club and adjacent to the Trans-Pennine Trail
T2	Ash	In the hedge abutting Lymm Golf Club and adjacent to the Trans-Pennine Trail
T3	Oak	Within the hedge separating Whitbarrow Farm from Lymm Golf Club
T4	Ash	Within the hedge separating Whitbarrow Farm from Lymm Golf Club
T5	Ash	In the hedge between Whitbarrow Farm and Lymm Golf Club
T6	Ash	In the hedge between Whitbarrow Farm and Lymm Golf Club
T7	Ash	In the hedge between Whitbarrow Farm and Lymm Golf Club
T8	Ash	To the rear of the Farm Buildings in the hedge between Whitbarrow Farm and Lymm Golf Club
T9	Birch	To the rear of the farm buildings in the hedge between Whitbarrow Farm and Lymm Golf Club
T10	Thorn	At the rear of the farm buildings and in the hedge between Whitbarrow Farm and Lymm Golf Club
T11	Sycamore	In the north east corner of the two sections of hedging separating Whitbarrow Farm from Lymm Golf Club
T12	Sycamore	In the grass between the path on Whitbarrow Farm land and the northern boundary hedge
T13	Sycamore	In the grass between the path on Whitbarrow Farm land and the northern boundary hedge
T14	Sycamore	In the grass between the path on Whitbarrow Farm land and the northern boundary hedge
T15	Sycamore	In the northern hedgerow of Whitbarrow Farm
T16	Oak	Within the front garden of Whitbarrow Farm

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

Reference on map	Description	Situation
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NONE

Groups of trees

(within a broken red line on the map)

Reference on map	Description	Situation
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NONE

Woodlands

(within a continuous red line on the map)

Reference on map	Description	Situation
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NONE