

Kay Neild

From: Rawdon Gascoigne <RGascoigne@emeryplanning.com>
Sent: 21 September 2020 09:58
To: Ben Pycroft
Subject: FW: TPO Taxal Edge, Macclesfield Road Whaley Bridge
Attachments: TPO 294 Taxal Edge, notice and order.pdf

As discussed.

Rawdon Gascoigne BA (Hons) MRTPI
Director

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info@emeryplanning.com

From: de Bruin, Nicola <Nicola.deBruin@highpeak.gov.uk>
Sent: 18 September 2020 10:42
To: Rawdon Gascoigne <RGascoigne@emeryplanning.com>
Subject: TPO Taxal Edge, Macclesfield Road Whaley Bridge

Dear Mr Gascoigne,

HIGH PEAK BOROUGH COUNCIL Tree Preservation (Taxal Edge Macclesfield Road Whaley Bridge) Order 2020 No 294

I believe you act on behalf of one of the landowners of the above land so this mail is for your information, all landowners have been served individually. High Peak Borough Council's policy is to protect trees which are of amenity or landscape value. The Council considers that the trees on the above property are worth protecting and the Council has, therefore, decided to issue a Tree Preservation Order in respect of these trees.

I am enclosing:-

- (1) a formal Notice of the making of a Tree Preservation Order; and
- (2) a copy of the Order itself.

If you need any further information regarding the Order, please contact the Monica Gillespie, Arboricultural Officer on 01298 28400 ext..4507 or e-mail at trees@highpeak.gov.uk.

Yours Sincerely,

Nicola de Bruin

Nicola de Bruin
Solicitor,
High Peak Borough Council
Market Place
Buxton, Derbyshire
SK17 6EL
01298 28400 ext. 2065

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High Peak Borough Council

working for our community

IMPORTANT – This Communication May Affect Your Property

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

**HIGH PEAK BOROUGH COUNCIL Tree Preservation (Taxal Edge Macclesfield Road
Whaley Bridge) Order 2020 No 294**

THIS IS A FORMAL NOTICE to let you know that on the 18th September 2020 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.

We have made the order because

- 1 It is expedient in the interests of amenity
- 2 The protected trees which are under potential threat of harm and/or removal.

The order came into force, on a temporary basis, on 18th September 2020 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 23rd October 2020. Your comments must meet regulation 6 of the Town and Country Planning (Tree Preservation)(England) Regulations 2012 (a copy is on the reverse). Please send your comments to the Legal Section at the address below. . 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 Monica Gillespie, Arboricultural Officer on 01298 28400 ext 4507 trees@highpeak.gov.uk.

Dated: 18 September 2020

Signed:

Solicitor on behalf of High Peak Borough Council
Town Hall Market Place Buxton SK17 6EL

**Copy of Regulation 6 of The Town and Country Planning (Tree
Preservation)(England) Regulations 2012**

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.

**Tree Preservation Order
Town and Country Planning Act 1990**

**The HIGH PEAK BOROUGH COUNCIL Tree Preservation (Taxal Edge
Macclesfield Road Whaley Bridge) Order 2020 No 294**

High Peak 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 the **HIGH PEAK BOROUGH COUNCIL Tree Preservation (Taxal Edge Macclesfield Road Whaley Bridge) Order 2020 No 294**

Interpretation

2. (1) In this Order “the authority” means the High Peak 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 18 day of September 2020

The Common Seal of High Peak Borough Council

was affixed to this Order in the presence of—



Authorised by the Council to sign in that behalf



CONFIRMATION OF ORDER

This Order was confirmed by High Peak Borough Council without modification on the _____ day of _____

OR

This Order was confirmed by the High Peak Borough Council, subject to the modifications indicated by _____ on the _____ day of _____

Signed on behalf of the High Peak Borough Council

.....

Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by High Peak Borough Council on the – _____ day of _____

Signed on behalf of the High Peak Borough Council

.....

Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the High Peak Borough Council on the _____ day of _____ by a variation order under reference number _____ a copy of which is attached

Signed on behalf of the High Peak Borough Council

.....

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the High Peak Borough Council on the _____ day of _____

Signed on behalf of the High Peak Borough Council

.....

Authorised by the Council to sign in that behalf]

SCHEDULE
Specification of trees

Trees specified individually (encircled in black 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
A1	All trees of whatever species	The grounds of 184 Taxal Edge Macclesfield Road

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

Reference on map	Description	Situation
	None	

Woodlands (within a continuous black line on the map)

Reference on map	Description	Situation
	None	

