

WARRINGTON BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

THE WARRINGTON BOROUGH COUNCIL (LAND ADJACENT DAIRY FARM, LUMB BROOK ROAD, APPLETON) TREE PRESERVATION ORDER, 1996

The WARRINGTON BOROUGH COUNCIL in this Order called "the Authority" in pursuance of the powers conferred in that behalf by Section 198 and Section 201 of the Town and Country Planning Act 1990 and subject to the provisions of the Forestry Act 1967, hereby makes the following order:-

1. In this Order:-

"the Act" means the Town and Country Planning Act, 1990;

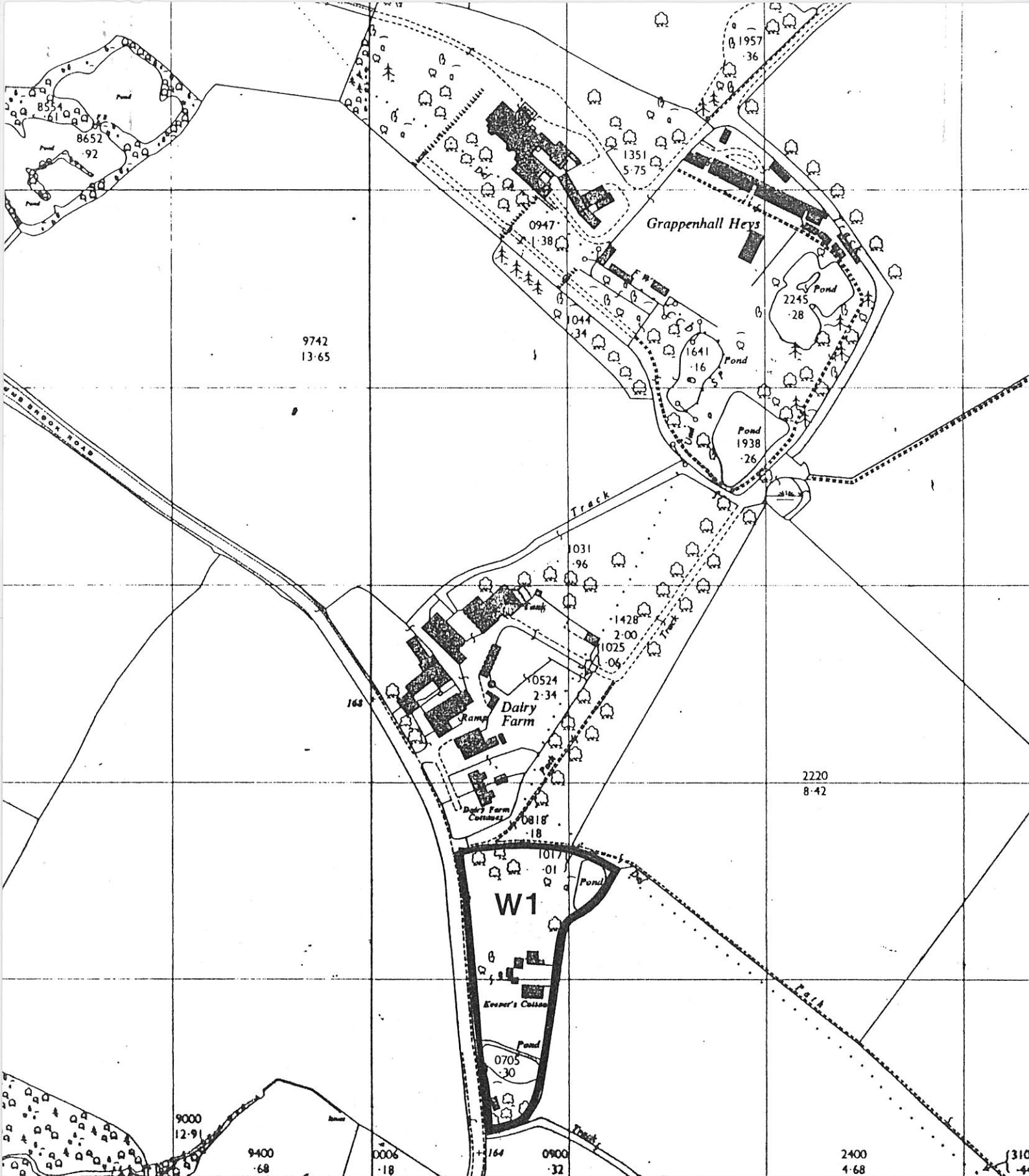
"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more; and a mortgagee in possession: and "the Secretary of State" means the Secretary of State for the Environment.

2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the Authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop, uproot, wilfully damage or wilfully destroy or cause or permit the cutting down, topping, lopping, uprooting, wilful damage, or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3. An application for consent made to the Authority under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4. (1) Where an application for consent is made to the Authority under this Order, the Authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the Authority may think fit, or may refuse consent.

Provided that where the application relates to any woodland specified in the First Schedule to this Order the Authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the Authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.



WARRINGTON BOROUGH COUNCIL
 WEST ANNEXE, TOWNHALL WA1 1UH
 COMMUNITY SERVICES DIRECTORATE
 Tel : 01925 444400

TITLE
 The Warrington Borough Council
 Land adjacent to Dairy Farm, Lumb Brook Rd, Appleton.

DIRECTOR OF COMMUNITY SERVICES
 A. Stephenson BSc (Hons) Dip TP

PROJECT
 Tree Preservation Order 1996

REPRODUCED FROM THE ORDNANCE SURVEY MAP
 WITH THE PERMISSION OF THE CONTROLLER OF H M S O
 CROWN COPYRIGHT RESERVED LICENCE No. LA 079898



DATE
 21.5.96

SCALE
 1 : 2500

DRAWING No

DRAWN BY

APPROVED

REVISION

WARRINGTON
 BOROUGH
 COUNCIL