

**Town & Country Planning (Tree Preservation) (England) Regulations  
2012**

**Town and Country Planning Act 1990**

**St. Edmundsbury Borough Council**

**Tree Preservation Order TPO/028(2017)  
The Foundry, Old Bury Road, Stanton , Bury St Edmunds**

The St. Edmundsbury 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 TPO/028(2017) for The Foundry, Old Bury Road, Stanton, Bury St Edmunds

**Interpretation**

- 2.** (1) In this Order "the authority" means the St. Edmundsbury 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 23<sup>rd</sup> November 2017

(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.

**4. Application to trees to be planted pursuant to a condition**

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 23<sup>rd</sup> November 2017

The Common Seal of the St. Edmundsbury Borough Council was affixed to this Order in the presence of:-



*[Handwritten signature]*

.....  
Authorised by the Council to sign in that behalf

Authorised Signatory

**CONFIRMATION OF ORDER**

[This Order was confirmed by the St. Edmundsbury Borough Council without modification on the

..... day of .....20.....]

OR

[This Order was confirmed by the St. Edmundsbury Borough Council], subject to the modifications indicated by *[state how indicated]*, on the

..... day of .....20.....]

.....  
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 St. Edmundsbury Borough Council on the

..... day of .....20.....]

.....  
Authorised by the Council to sign in that behalf]

**VARIATION OF ORDER**

This Order was varied by the St. Edmundsbury Borough Council on the

..... day of .....20.....] by a variation Order under the reference number .....

*Order*], [a copy of *[insert reference number to the variation which is attached]*

.....  
Authorised by the Council to sign in that behalf]

**REVOCAION OF ORDER**

[This Order was revoked by the St. Edmundsbury Borough Council on the

..... day of .....20.....] under the reference number .....

.....  
Authorisation by the Council to sign in that behalf]

**SCHEDULE**

**SPECIFICATION OF TREES**  
**Trees specified individually**  
 (encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
T1	Horse Chestnut ( <i>Aesculus hippocastanum</i> )	Located along the Southern boundary, adjacent to Old Bury Road.
T2	Horse Chestnut ( <i>Aesculus hippocastanum</i> )	

**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>

**Group 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>

**Woodlands**  
 (within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>

**IMPORTANT THIS COMMUNICATION MAY AFFECT YOUR PROPERTY**

**Town and Country Planning Act 1990  
Town & Country Planning (Tree Preservation) (England) Regulations 2012**

**Tree Preservation Order TPO/028(2017)  
The Foundry, Old Bury Road, Stanton, Bury St Edmunds**

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**THIS IS A FORMAL NOTICE** to let you know that on 23<sup>rd</sup> November 2017 the Council made the above Tree Preservation Order.

A copy of the Order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping, wilfully damaging or wilfully destroying any of the trees described in the Schedule and shown on the map without the Council's consent. A certified copy of the Order and the map included in it may be inspected without charge at St Edmundsbury Borough Council, West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU between the hours of 08.45am and 5.00pm Monday to Friday.

The Council have made the Order because:

These two Horse Chestnut trees are located in a prominent position next to the main road, close to the heart of Stanton village. The road which these trees are situated next to is busy with pedestrians walking from nearby housing into the village. They also border the Stanton conservation area and it is considered that these trees do contribute to the character, appearance and amenity of this area. The order is further required to protect these trees as this area has high potential for future development.

The Order took effect, on a provisional basis, on 23<sup>rd</sup> November 2017. It will continue in force on this basis for a further six months or until the Order is confirmed by the Council, whichever first occurs.

The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other comments, please make sure we receive them in writing by 20<sup>th</sup> December 2017. Your comments must meet regulation 6 of The Town and Country Planning (Tree Preservation) (England) Regulations 2012, a copy of which is attached. Please send your comments to the Head of Planning and Regulatory Services at the address shown below. All valid objections or representations are carefully considered before a decision on whether to confirm the Order is made. You should bear in mind that any representations submitted may be made available for public inspection.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact Stephen Holyland, on 01284 757359, who will be pleased to help you.

Dated: 23<sup>rd</sup> November 2017

Signed:  .....

Service Manager (Legal) on behalf of St. Edmundsbury Borough Council

**Any communications should be addressed to:**

Head of Planning and Regulatory Services  
Planning And Regulatory Services  
St Edmundsbury Borough Council,  
West Suffolk House,  
Western Way,  
Bury St Edmunds,  
Suffolk, IP33 3YU

Reference: Stephen Holyland

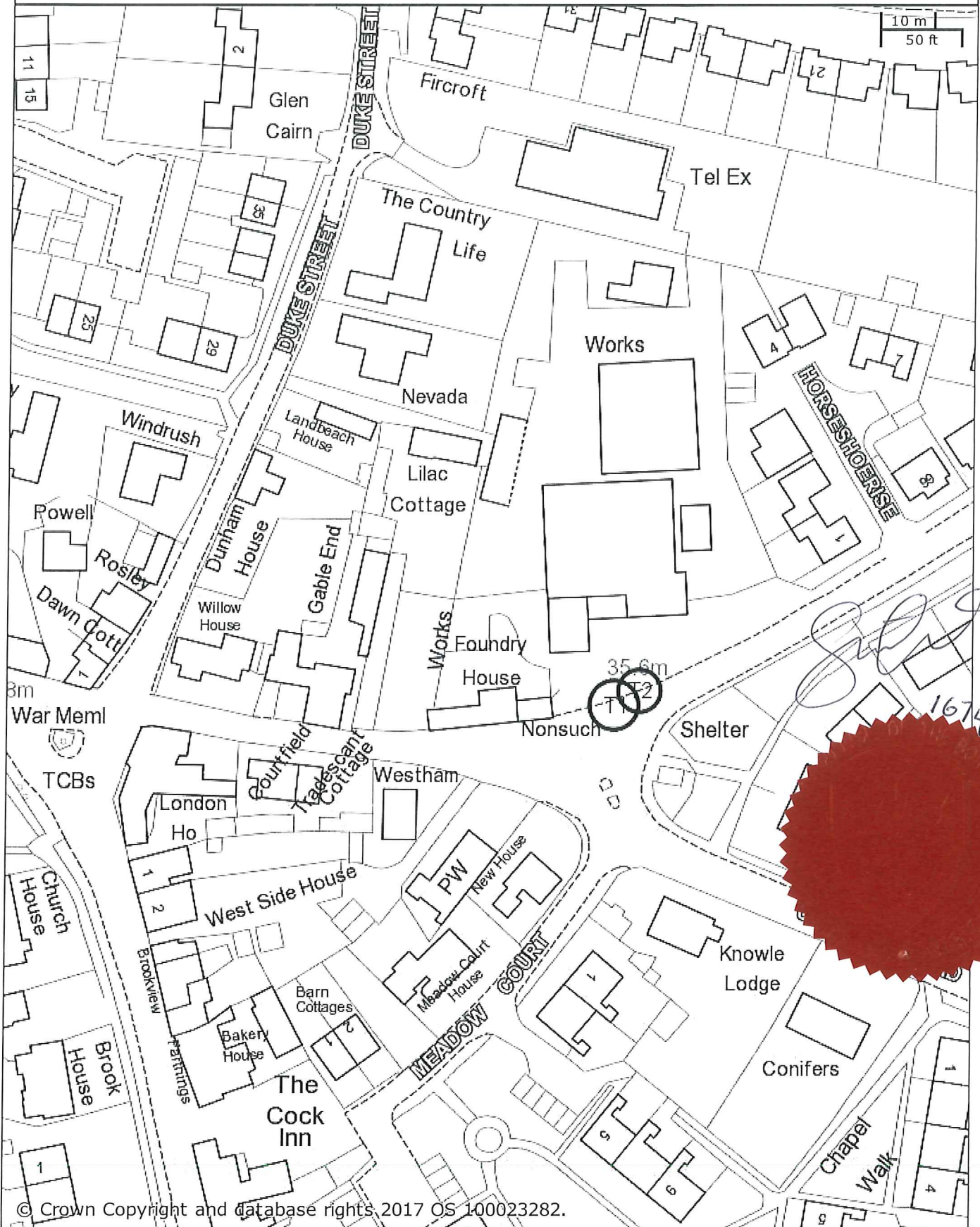
**COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012**

**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.

# TPO/028(2017) Trees on Land at The Foundry, Old Bury Road, Stanton



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St Edmundsbury BC  
 Western Way  
 Bury St Edmunds  
 IP33 3YU  
 01284 763233

Forest Heath & St Edmundsbury councils  
**West Suffolk**  
 working together  
 www.westsuffolk.gov.uk

Forest Heath DC  
 College Heath Road  
 Mildenhall  
 IP28 7EY  
 01638 719000

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