

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

Town and Country Planning Act 1990

The City Council of Carlisle

**Land at Nos. 2 and 4 Stonegarth, Morton Park, Carlisle CA2 6NR – Tree
Preservation Order 2021 (No.312)**

The City Council of Carlisle 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 Land at Nos. 2 and 4 Stonegarth, Carlisle CA2 6NR – Tree Preservation Order 2021 (No.312).

Interpretation

2.— (1) In this Order “the authority” means The City Council of Carlisle

(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

19th July 2021

The Common Seal of the City Council of Carlisle
was affixed to this Order in the presence of



Mark Lambert

CONFIRMATION OF ORDER

This Order was confirmed by The City Council of Carlisle without modification
on the 9th day of NOVEMBER 2021

OR

~~This Order was confirmed by The City Council of Carlisle, subject to the modifications
indicated by _____, on the _____ day of~~

Signed on behalf of The City Council of Carlisle

Mark Lambert

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 City Council of Carlisle
on the _____ day of

Signed on behalf of The City Council of Carlisle

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

VARIATION OF ORDER

This Order was varied by The City Council of Carlisle on the
variation order under reference number

day of by a
a copy of which is attached

Signed on behalf of The City Council of Carlisle

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

REVOCATION OF ORDER

This Order was revoked by The City Council of Carlisle on the day of

Signed on behalf of The City Council of Carlisle

.....
Authorised 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	Oak	338096 554846
T2	Oak	338103 554842

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>
[A1]	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>
[G1]	None	

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
[W1]	None	

STATEMENT OF REASONS

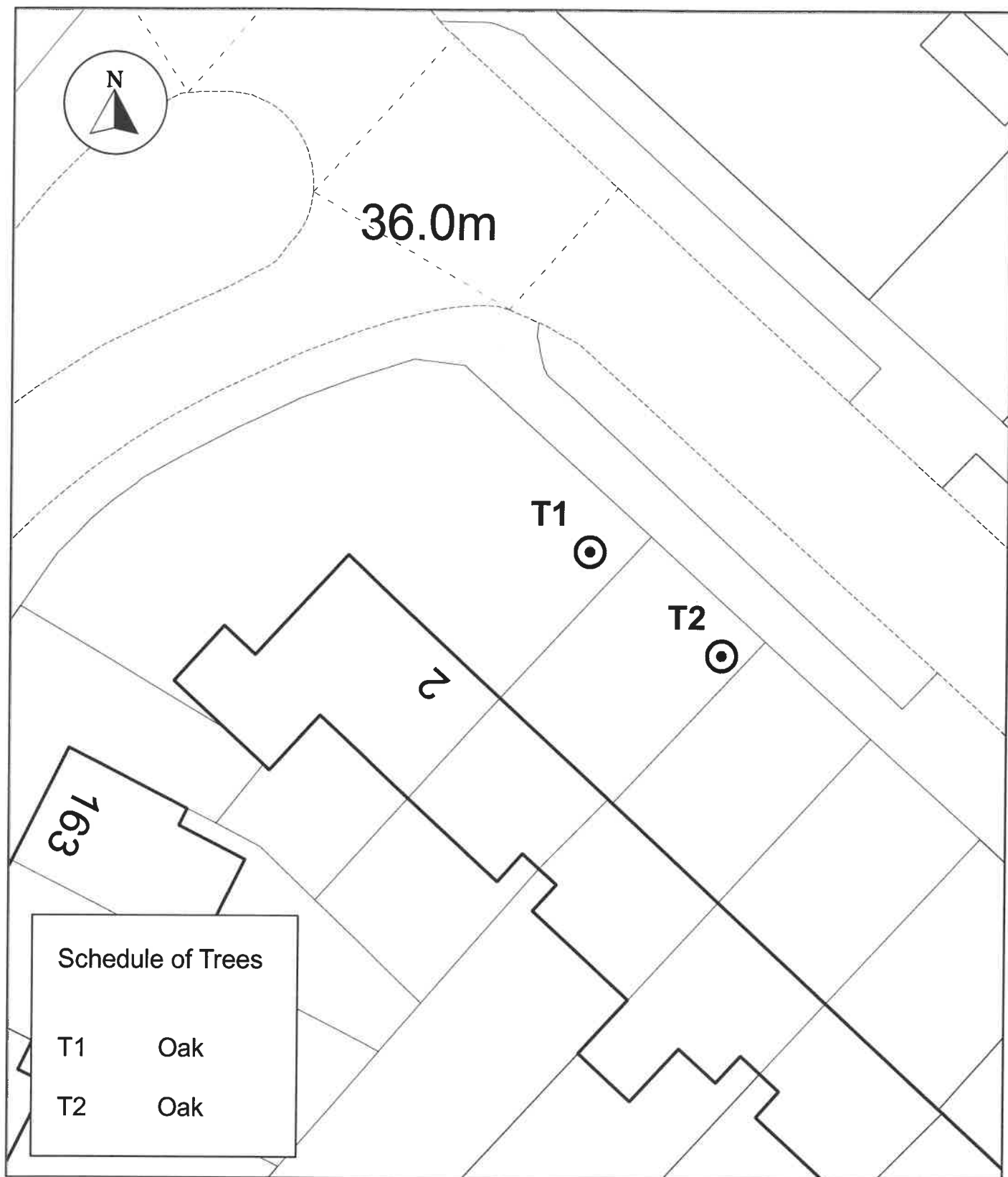
TREE PRESERVATION ORDER NO. 312

LAND AT NOS. 2 AND 4 STONEGARTH, MORTON PARK, CARLISLE CA2 6NR

Section 197 of the Town and Country Planning Act 1990 places a duty on local planning authorities to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made for the preservation of trees. The local authority may make a tree preservation order where it appears to the authority that it is expedient in the interests of amenity.

The two mature Oak trees are prominent and visible to the public realm and positively contributes to the street scene along the northern end of Stonegarth.

Due to the substantial contribution and amenity value it is considered that the most appropriate way to protect the tree for the future is by means of a tree preservation order.



Act 1990 Section 198(1)

**Tree Preservation Order Number 312
2 and 4 Stonegarth, Carlisle, CA2 6NR**

Scale: 1 : 250

Date: June 2021

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ordnance survey LA100024459

Economic Development, Civic Centre, Carlisle, CA3 8QG

