

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

**Town and Country Planning Act 1990**

**The City Council of Carlisle**

**Land at Deer Park, Kingmoor Road, Carlisle – Tree Preservation Order 2022  
(No.317)**

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 Deer Park, Kingmoor Road, Carlisle – Tree Preservation Order 2019 (No.317).

**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 4<sup>th</sup> January 2022

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



.....  
G. Thaddeus

#### CONFIRMATION OF ORDER

This Order was confirmed by The City Council of Carlisle without modification on the      day of

OR

This Order was confirmed by The City Council of Carlisle, subject to the modifications indicated by the black pen on the, on the 8 day of April 2022 by Development Control Committee. schedule and the revised statement of reasons and plan annexed hereto.

Signed on behalf of The City Council of Carlisle

.....  
*Mark [Signature]*

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                      day of                      by a  
variation order under reference number                      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]	Cut-leaf Hornbeam	OS Grid Ref. 338778, 557670
<del>[T2]</del>	<del>Cut-leaf Hornbeam</del>	<del>OS Grid Ref. 338788, 557627</del>

#### 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. 317

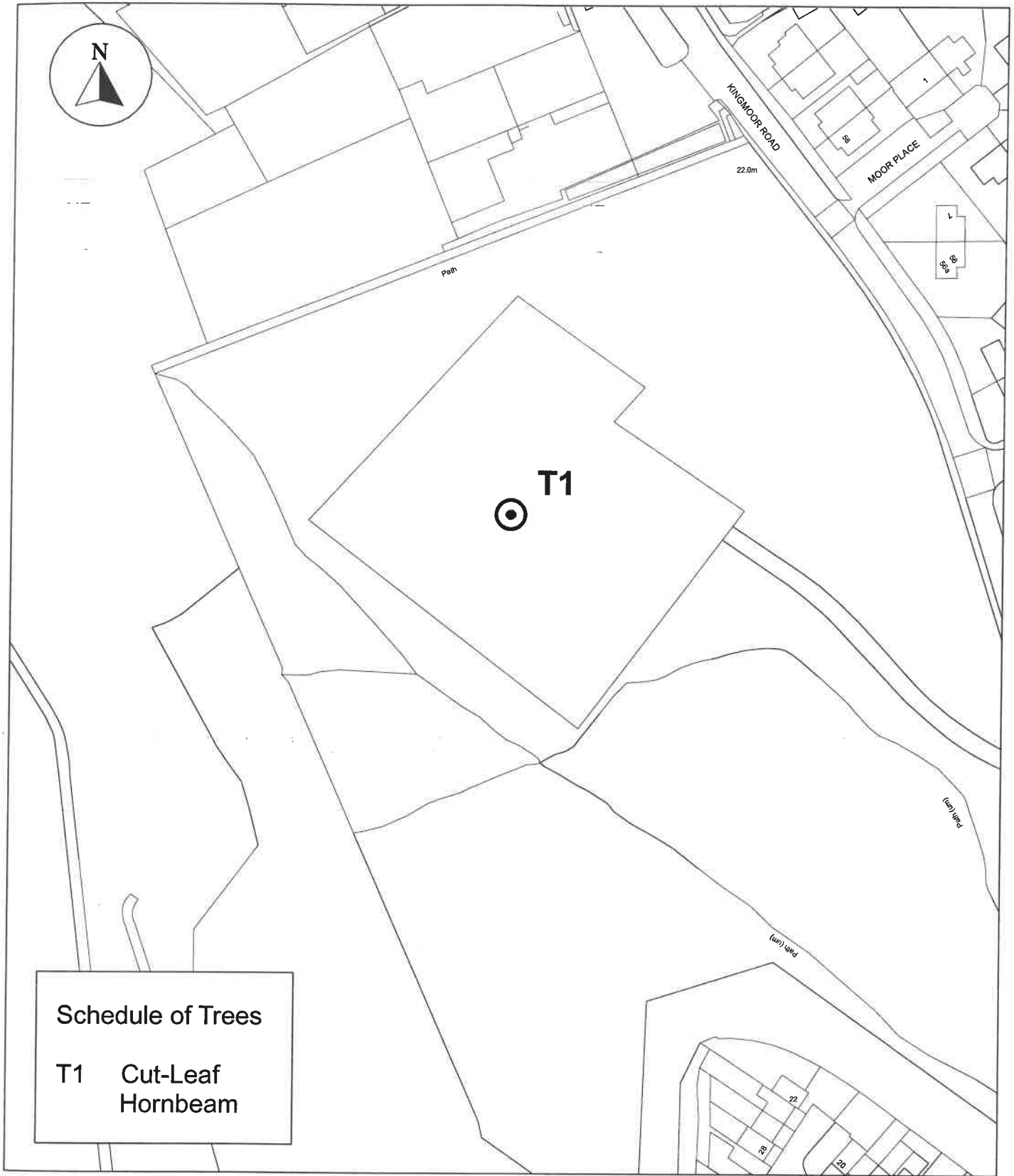
### LAND AT DEER PARK, KINGMOOR ROAD, CARLISLE

Section 197 of the Town and Country Planning Act 1990 places a duty on local planning authorities to ensure, whenever it is appropriate, 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.

Any tree protected by this Tree Preservation Order are clearly visible to the public and positively contribute to the amenity of the area.

T1 is a mature cut-leaf hornbeam that is a rare species, native mainly in north-east England. These trees were generally planted by collectors over the centuries as specimen trees in parks and gardens, so it is important to preserve the tree for future production. The tree is in good health and provides a positive contribution to the land at Deer Park and being of hardy nature will continue to thrive for many years.

It is considered that the most appropriate way to protect the tree for the future is by means of a tree preservation order.



Schedule of Trees	
T1	Cut-Leaf Hornbeam

Act 1990 Section 198(1)

**Tree Preservation Order Number 317**  
**Land at Deer Park, Kingmoor Road, Carlisle**

Scale: 1 : 1250

Date: April 2022

©crown copyright database rights 2022  
 ordnance survey LA100024459

Economic Development, Civic Centre, Carlisle, CA3 8QG

