



High Peak Borough Council

working for our community

IMPORTANT – This Communication May Affect Your Property

The HIGH PEAK BOROUGH COUNCIL Tree Preservation (Land at Hogshaw, Fairfield, Buxton) Order 2023 No 311

TOWN AND COUNTRY PLANNING ACT 1990

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

THIS IS A FORMAL NOTICE to let you know that on the 22nd September 2023 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 it is expedient in the interests of amenity.


The order came into force, on a temporary basis, on 22nd September 2023, 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 Wednesday 25th October 2023. 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 Craig McCrindle, Arboricultural Officer at trees@highpeak.gov.uk.

Dated: 22nd September 2023

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 (Land at Hogshaw, Fairfield, Buxton) Order 2023 No 311.

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 (Land at Hogshaw, Fairfield, Buxton) Order 2023 No 311.

Interpretation

2.— (1) In this Order “the authority” means 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

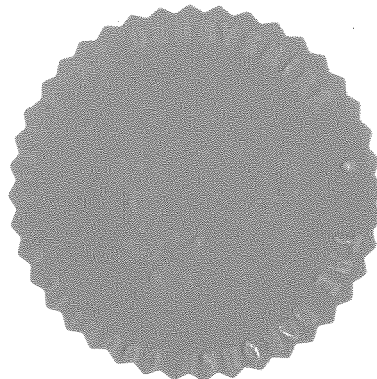
4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 22nd day of September 2023

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 High Peak Borough Council, subject to the modifications indicated by
on the day of

Signed on behalf of 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 High Peak Borough Council

.....

Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by 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 High Peak Borough Council.

.....

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by High Peak Borough Council on the day of

Signed on behalf of 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)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Ash (<i>Fraxinus excelsior</i>)	North east boundary adjacent PROW
T2	Sycamore (<i>Acer pseudoplatanus</i>)	North east boundary adjacent PROW
T3	Sycamore (<i>Acer pseudoplatanus</i>)	North east boundary adjacent PROW
T4	Sycamore (<i>Acer pseudoplatanus</i>)	North east boundary adjacent PROW
T5	Sycamore (<i>Acer pseudoplatanus</i>)	South west boundary adjacent PROW
T6	Sycamore (<i>Acer pseudoplatanus</i>)	South west boundary adjacent PROW
T7	Sycamore (<i>Acer pseudoplatanus</i>)	South west boundary adjacent PROW
T8	Lime (<i>Tilia</i> sp.)	Western boundary
T9	Silver birch (<i>Betula pendula</i>)	Western boundary

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	All species	West of Nunsfield Farm.

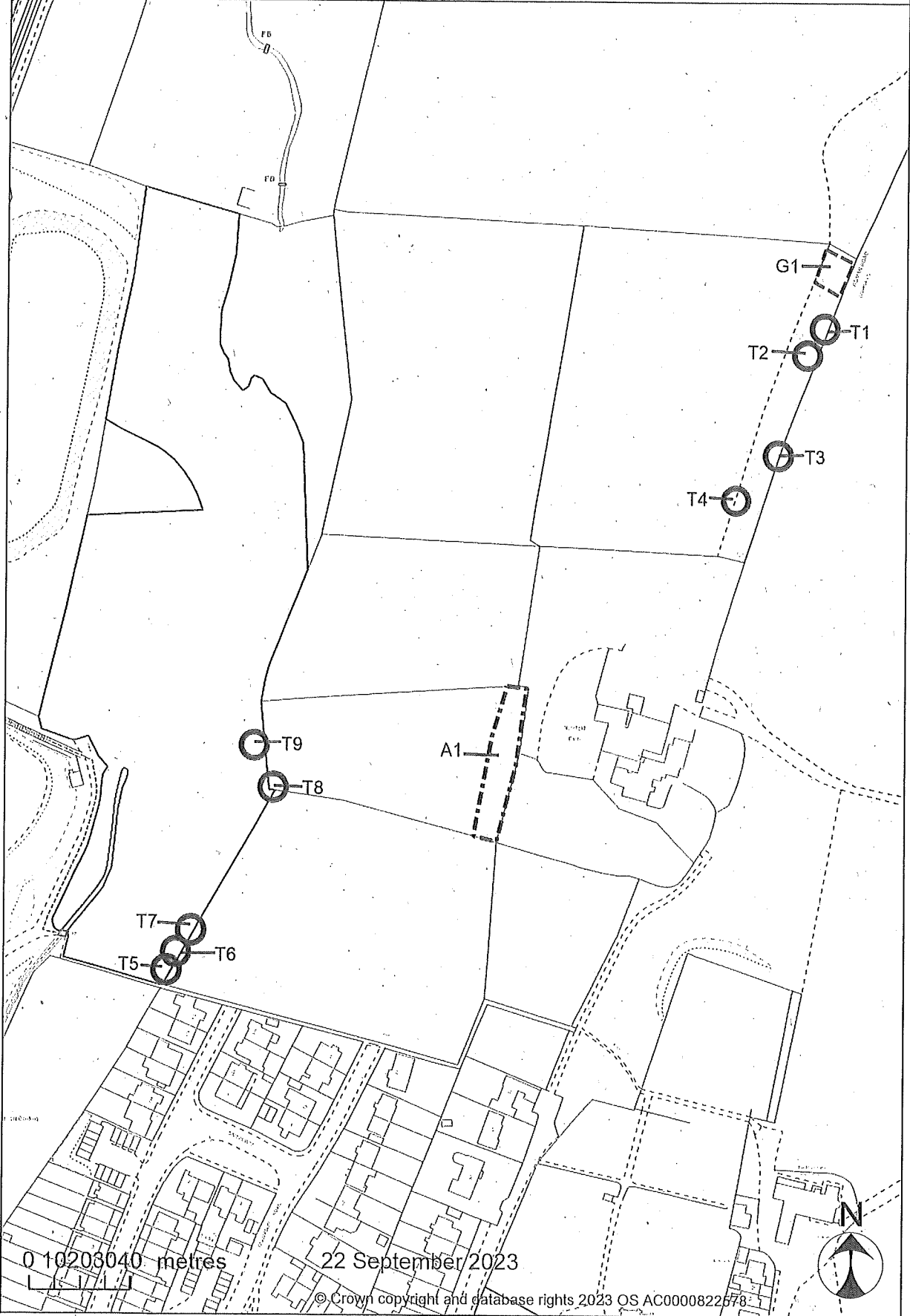
Groups of trees (within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
G1	2 x Sycamore (<i>Acer pseudoplatanus</i>)	North east boundary adjacent PROW

Woodlands (within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

HPBC TPO 311 Land at Hogshaw, Fairfield



0 10203040 metres

22 September 2023

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