STATUTORY RULES OF NORTHERN IRELAND

2007 No. 10

PLANNING

The Planning (Trees) (Amendment) Regulations (Northern Ireland) 2007

Made - - - -	*10th January 2007*
Coming into operation	*12th February 2007*

The Department of the Environment makes the following Regulations in exercise of the power conferred by Article 65(2) of the Planning (Northern Ireland) Order 1991(**1**).

Citation and commencement

1. These Regulations may be cited as the Planning (Trees) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 12th February 2007.

Amendment of the Planning (Trees) Regulations (Northern Ireland) 2003

2. For the Schedule to the Planning (Trees) Regulations (Northern Ireland) 2003(**2**), (form of tree preservation order) there shall be substituted the Schedule set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of the Environment on 10th January 2007.

L.S.

Marianne Fleming
A senior officer of the Department of the Environment

(**1**) S.I. 1991/1220 (N.I. 11) as amended by S.I. 2003/430 (N.I. 8) and S.R. 2006/1252 (N.I.7)
(**2**) S.R. 2003 No. 444; relevant amending Regulations are S.R. 2006 No. 218 and S.R. 2006 No. 276

SCHEDULE Regulation 2

Substitution of the Schedule to The Planning (Trees) Regulations (Northern Ireland) 2003

"SCHEDULE Regulation 2(1)

FORM OF TREE PRESERVATION ORDER
THE PLANNING (NORTHERN IRELAND) ORDER 1991
THE PLANNING (TREES) REGULATIONS (NORTHERN IRELAND) 2003

TREE PRESERVATION ORDER

at

(address of the land)

The Department of the Environment (in this Order called "the Department") in pursuance of the powers conferred upon it by Articles 65 [and 65A] of the Planning (Northern Ireland) Order 1991 HEREBY ORDERS that no person shall, except with the consent of the Department and in accordance with the conditions, if any, imposed on such consent, uproot, wilfully damage, cut down, top, lop, 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 or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees or woodlands is defined in the manner indicated in the First Schedule on the annexed maps which maps shall for the purpose of such definition prevail where any ambiguity arises between them and the specification in the First Schedule.

[The Department HEREBY ORDERS that Article 65A (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on [*insert date*].]

The Order is subject to the provisions of the Second Schedule and to the exemptions specified in the Third Schedule.

Authorised by the Department of the Environment to sign in that behalf on [*insert date*].

FIRST SCHEDULE

[*Particulars of trees protected by the Order as also specified on the attached map*]

SECOND SCHEDULE

Application for consent to cut down, top, lop or uproot trees

1. An application for consent made to the Department shall be in writing containing a statement of reasons for making the application, and specifying, by reference if necessary to a map, the trees or woodland to which the application relates and the operations for which consent is required.

2. The Department may grant consent to an application either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree or trees) as the Department may think fit, or may refuse consent.