1973. No. 273 [C]

TOWN AND COUNTRY PLANNING

Planning (Tree Preservation Order) Regulations

REGULATIONS, DATED 15TH AUGUST 1973, MADE BY THE MINISTRY OF DEVELOPMENT UNDER ARTICLES 39, 66 AND 106 OF THE PLANNING (NORTHERN IRELAND) ORDER 1972.

The Ministry of Development, on behalf of the Secretary of State, and in exercise of the powers conferred upon it by Articles 39, 66 and 106 of the Planning (Northern Ireland) Order 1972(a), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Planning (Tree Preservation Order) Regulations (Northern Ireland) 1973 and shall come into operation on 1st October 1973.

Interpretation

2. In these regulations "order" means a tree preservation order.

Form and content of order

3.—(1) An order shall be in the form set out in the Schedule.

(2) The order shall define the position of the trees, groups of trees or woodlands to which it relates, and for that purpose shall include a map.

Making and service of tree preservation orders

4.—(1) An order shall take effect immediately it is made by the Ministry and the Ministry shall serve notice of its making on the owners and occupiers of the land and on any other person who in its opinion would be affected by the order.

(2) Any person on whom notice has been served under paragraph (1) may, within 28 days from the date of service of the notice, make objections or representations in writing to the Ministry with respect to the order, stating the grounds thereof and specifying the particular trees, groups of trees or woodlands in respect of which they are made; and if within that period any such person so desires the Ministry shall afford to him an opportunity of appearing before and being heard by the Planning Appeals Commission.

Objections and representations

5.—(1) If objections and representations are made in accordance with regulation 4(2), then after considering those objections and representations and where a hearing is held, the report of the Planning Appeals Commission, the Ministry may confirm the order, withdraw it or confirm it subject to modification.

(a) S.I. 1972, No. 1634 (N.I. 17).

(2) The Ministry shall inform any person on whom notice has been served under regulation 4(1) of its decision and where the order has been confirmed subject to modification, the Ministry shall serve on every such person a copy of the order and map as confirmed by the Ministry.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 15th day of August 1973.

(L.S.)

L. V. D. Calvert,
Deputy Secretary.