

21 SEP 2017



Mr S Vinson  
Clerk to Liskeard Town Council  
3/5 West Street  
Liskeard  
PL14 6BW

**Your ref:**  
**My ref:** 53045/JB  
**Date:** 19 September 2017

Dear Mr Vinson

**TOWN AND COUNTRY PLANNING ACT 1990**  
**THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION)(ENGLAND)**  
**REGULATIONS 2012**  
**LAND ADJACENT TO ROSECRADDOC LODGE HOLIDAY BUNGALOWS TREMAR**  
**LISKEARD TREE PRESERVATION ORDER 2017**

I enclose a copy of the Notice and Order for your information, which has today been served on the appropriate persons having an interest in respect of the above. As part of the Council's consultation process any comments you may wish to make in relation to the Order should be forwarded to me at the address below.

Yours sincerely

Joy Benney  
Legal Assistant  
Legal Services  
Tel: 01872 322313  
Email: [jbenney@cornwall.gov.uk](mailto:jbenney@cornwall.gov.uk)

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Cornwall Council, New County Hall, Treyew Road, Truro, TR1 3AY

Tel: 0300 1234 100 [www.cornwall.gov.uk](http://www.cornwall.gov.uk)



**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

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



**CORNWALL  
COUNCIL**

**LAND ADJACENT TO ROSECRADDOCK LODGE HOLIDAY BUNGALOWS  
TREMAR LISKEARD TREE PRESERVATION ORDER 2017**

**THE CORNWALL COUNCIL**

THIS IS A FORMAL NOTICE which is served on you because on **19 September 2017** the Council made the above Tree Preservation Order in respect of land in which you appear to have an interest.

A copy of the Order is enclosed. In simple terms, it prohibits you from cutting down, topping or lopping any of the trees specified in the First Schedule and shown on the map without the consent of the Council.

Some explanatory guidance on Tree Preservation Orders is provided in the enclosed leaflet, Protected Trees: A Guide to Tree Preservation Orders, produced by the Department for Communities and Local Government.

The Council's reasons for making the Order are:-

The Local Planning Authority (Cornwall Council) considers the trees affected by this Order to be important to public amenity and suitable for protection. The Order is considered expedient in the interests of public amenity because it perceived that trees may be at threat of harm or removal.

The Authority considers it expedient in the interests of amenity that the trees the subject of this Order should be preserved.

The Order was brought into effect provisionally on **19 September 2017**. The Order will remain in force for a period of up to 6 months from the date the Order was made, or until the Order is confirmed by the Council, whichever first occurs.

The Council will now consider whether the Order should be confirmed, that is to say, whether the Order should take effect formally. Before this decision is made, you have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order. All objections will be fully considered before the Council decides whether the Order should be made permanent.

If you would like to make any objections or other representations about the Order, please do so in writing by **31 October 2017**. To be valid, your comments must comply with Regulation 6 of The Town and Country Planning (Tree Preservation) (England) Regulations 2012 a copy of which is included at the end of this notice. Your comments should be sent to Joy Benney, Legal Services, Cornwall Council, County Hall, Treyew Road, Truro, TR1 3AY. All valid objections or representations are carefully considered before a decision on whether to confirm the Order is made.

The Council will write to you again when a decision has been taken on whether to confirm the Order. If you would like any further information, or have any questions about this notice, please contact Sarah Stevens, Development Officer, Cornwall Council, Luxstowe House, Liskeard, Cornwall, PL14 3DZ (telephone 01579 341439)

Dated: 19 September 2017

Signed:



**SERVICE DIRECTOR – ASSURANCE (INTERIM)  
CORNWALL COUNCIL  
NEW COUNTY HALL  
TRURO  
CORNWALL**

**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.

**TOWN AND COUNTRY PLANNING ACT 1990  
THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION)(ENGLAND)  
REGULATIONS 2012**

**LAND ADJACENT TO ROSECRADDOCK LODGE HOLIDAY BUNGALOWS  
TREMAR LISKEARD TREE PRESERVATION ORDER 2017**

THE CORNWALL 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 **LAND ADJACENT TO ROSECRADDOCK LODGE HOLIDAY BUNGALOWS TREMAR LISKEARD TREE PRESERVATION ORDER 2017**.

**Interpretation**

2. (1) In this Order “the authority” means **THE CORNWALL 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

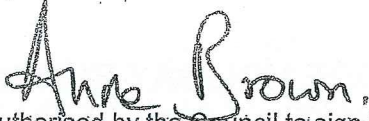
(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of, any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 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 19<sup>th</sup> day of September 2017

Signed on behalf of THE CORNWALL COUNCIL



Authorised by the Council to sign in that behalf

**CONFIRMATION OF ORDER**

This Order was confirmed by THE CORNWALL COUNCIL without modification on the \_\_\_\_\_ day  
of \_\_\_\_\_

OR

This Order was confirmed by THE CORNWALL COUNCIL, subject to the modifications indicated by

on the \_\_\_\_\_ day of \_\_\_\_\_

Signed on behalf of THE CORNWALL 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 THE CORNWALL COUNCIL on the \_\_\_\_\_ day  
of \_\_\_\_\_

Signed on behalf of THE CORNWALL COUNCIL

Authorised by the Council to sign in that behalf

**VARIATION OF ORDER**

This Order was varied by THE CORNWALL COUNCIL on the \_\_\_\_\_ day of \_\_\_\_\_  
by a variation order under the reference number \_\_\_\_\_ a copy of which is attached

Signed on behalf of THE CORNWALL COUNCIL

Authorised by the Council to sign in that behalf

**REVOCATION OF ORDER**

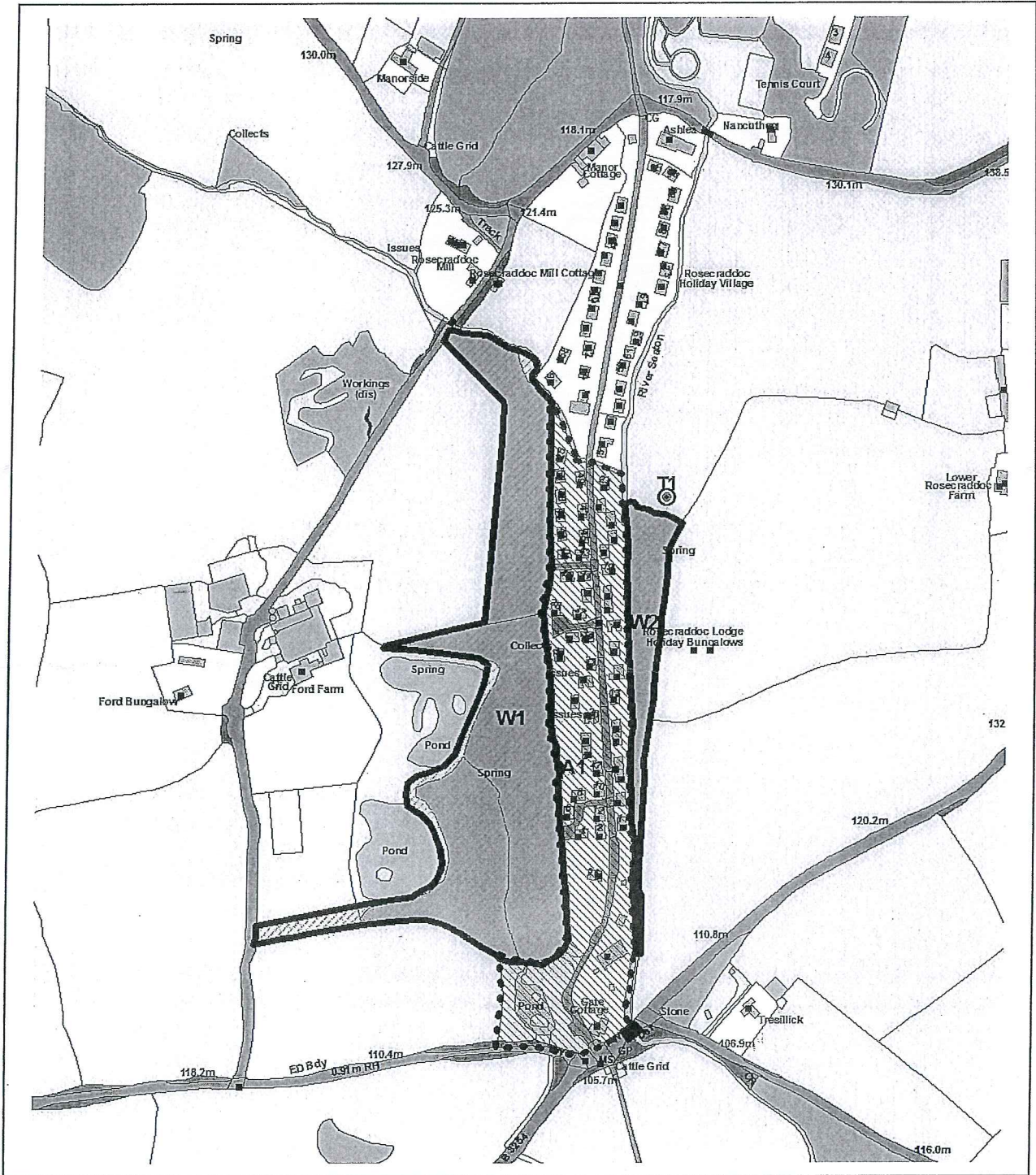
This Order was revoked by THE CORNWALL COUNCIL on the \_\_\_\_\_ day of \_\_\_\_\_

Signed on behalf of THE CORNWALL COUNCIL

Authorised by the Council to sign in that behalf

# CORNWALL COUNCIL

## Land Adjacent to Rosecraddoc Lodge Holiday Bungalows Tremar Liskeard Tree Preservation Order 2017



Grid Reference :226630 67456

Based on the Ordnance Survey mapping with the permission of the Controller of her Majesty's Stationery Office © Crown Copyright. Cornwall Council 100049047 Year 2012

Date: 19th September 2017

*Anne Brown.*





## SCHEDULE

### SPECIFICATION OF TREES

#### Trees specified individually (encircled in black on the map)

<u>Reference on Map</u>	<u>Description</u>	<u>Situation</u>
T1	English Oak	In the position identified on the map with a black circle, standing alone in field east of 24 Rosecraddoc Lodge Holiday Bungalows

#### Trees specified by reference to an area (within a dotted black line on the map)

<u>Reference on Map</u>	<u>Description</u>	<u>Situation</u>
A1	English Oak, Acer, Beech, Alder and Rhododendron	In the position identified on the map within the dotted black line, within the area of Rosecraddoc Lodge Holiday Bungalows numbers 1 – 49 inclusive and within the grounds of Gate Cottage and Rosecraddoc Lodge. Bordered by the River Seaton to the east, the B3254 to the south, woodland W1 to the west, and a stream north of 24, 25 and 49 Rosecraddoc Lodge Holiday Bungalows

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

<u>Reference on Map</u>	<u>Description</u>	<u>Situation</u>
None	N/A	N/A

## Woodlands

(within a continuous black line on the map)

<u>Reference on Map</u>	<u>Description</u>	<u>Situation</u>
W1	Mixed hardwoods, excluding Larch or other softwood species	In the position identified on the map within the continuous black line, located east of Fort Farm Rosecraddoc and adjoining Rosecraddoc Lodge Holiday Bungalows
W2	Mixed hardwoods, excluding Larch or other softwood species	In the position identified on the map within the continuous black line, located south west of Lower Rosecraddoc Farm Rosecraddoc and adjoining Rosecraddoc Lodge Holiday Bungalows