07/01372/TPO

FORM A

HINCKLEY & BOSWORTH BOROUGH COUNCIL
Council Offices, Argents Mead, Hinckley
Leicestershire. LE10 1BZ

TOWN & COUNTRY PLANNING ACT 1990

21 NOV 2007

Application for consent to carry out work on tree(s) protected by a Tree Preservation Order *OR* Notice of intention to carry out work to unprotected tree(s) in a Conservation Area.

Before completing any part of this form please read the accompanying notes

Three completed copies of this form and plan should be submitted to the **District Council.**
The plan provided should be of sufficient scale to clearly identify the tree(s) affected by the proposals.
The white copy is for your own retention.

For official use only

Application/Notification No.

Date received

C

DEVELOPMENT SERVICES
21 NOV 2007
D
RECEIVED

PART 1 — to be completed by or on behalf of all applicants (in block capitals)

1) Applicant: BOSWORTH HALL HOTEL

Address: THE PARK
MARKET BOSWORTH
CV13 0LP

Tel. 01455 291919

Agent (if any): ADRIAN SMITH

Address: SAME

Tel. No. SAME

No.

2) Particulars of proposal for which consent is sought *OR* in respect of which notice is given.

a) Does the applicant own the land on which the tree(s) stand(s)	YES
b) Does the applicant own the land referred to in paragraph 2(a)? If not who is the owner?	
c) State the number and species (if known) of the trees involved.	1 HORSE CHESTNUT 2 OAK
d) Describe the proposed works (e.g. cutting down, uprooting, topping, lopping, etc.)	HORSE CHESTNUT POLARDING 1 OAK TAKING DOWN DEAD BRANCHES 1 OAK OBSTRUCTING LIGHT
e) Proposals for replanting (if any)	
f) State reasons for making the application.	2 TREES OVER HANGING HIGHWAY 1 TREE OBSCURING LIGHT

PART 11 — to be completed in the case of tree(s) protected by a Tree Preservation Order only.

3) Title of the Preservation Order

I/We hereby

*(a) apply for consent to carry out the work described above and in the accompanying plans to tree(s) protected by a Tree Preservation Order.

~~*(b)~~ give notice of intention to carry out the work described above and in the accompanying plans to unprotected tree(s) in a Conservation Area.

** delete whichever is not applicable.*

Date: 19-11-07

Signed

On behalf of BOSWORTH HALL HOTEL
(insert applicant's name if signed by Agent)

NOTES FOR GUIDANCE OF APPLICANTS

1. Any person contravening the provisions of a Tree Preservation order or the provisions of Section 211 of the Town and Country Planning Act 1990 (relating to trees in conservation areas by cutting down, up-rooting or wilfully destroying a tree or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it, is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000, or on indictment to an unlimited fine. The penalty for any other such contravention is a fine not exceeding £2,500 on summary conviction.

2. In certain circumstances an application for consent under a Tree Preservation Order for works to trees protected by the Order may be unnecessary. For full details reference should be made to the Planning Department of your local District Council.

3. In the case of trees which are not protected by a Tree Preservation Order **but which are situated in a Conservation Area** it is necessary to serve a Notice (except in cases covered by Note 4) on the District Council that it is intended to carry out works to the trees specified. The District Council then has six weeks to decide either to consent or refuse and if it refuses it will normally make a Tree Preservation Order. It is an offence to carry out the work without giving notice or without consent within the six week period. If it is still your intention to carry out the work but it has not been carried out within two years from the date of service of the original Notice of Intention, a further Notice must be served on the District Council.

4. No consent is required (but see paragraph 5 below) for the cutting down, up-rooting, topping or lopping of a tree if

   (a) the tree is dying or dead or had become dangerous: or

   (b) the works are in compliance with obligations imposed by or under an Act of Parliament: or

   (c) the works are necessary for the prevention or abatement of a nuisance.

5. In certain circumstances specified in Sections 206 and 213 of the Town Country Planning Act 1990 there is a statutory duty to replace the trees which are removed or destroyed or die unless the Local Planning Authority dispense with the requirement to do so. In order to enable the Planning Authority to come to a decision on whether or not to dispense with this requirement, notice of the proposed action should, except in the case of an emergency be given to the Local Planning Authority not less than five days before any work is carried out.

6. The Department of the Environment publishes a booklet "TREE PRESERVATION — A guide to procedure" which applicants may find useful. Copies are available (free of charge) with this form.