

**TOWN AND COUNTRY PLANNING ACT 1990**  
**THE LAKE DISTRICT NATIONAL PARK AUTHORITY (LAND AT THE BIRCHES,**  
**WINDERMERE) TREE PRESERVATION (NO. 435) ORDER 2021**

THE LAKE DISTRICT NATIONAL PARK AUTHORITY, in exercise of the powers conferred on them by sections 198 of the Town and Country Planning Act 1990 make the following Order:-

**Citation**

1 This Order may be cited as The Lake District National Park Authority (Land at The Birches, Windermere) Tree Preservation (No. 435) Order 2021.

**Interpretation**

- 2(1) In this Order "the Authority" means the Lake District National Park Authority.
- 2(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.
- 3(2) Without prejudice to subsections (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 the 19<sup>th</sup> day of July 2021

Executed as a deed by affixing  
the Common Seal of  
LAKE DISTRICT NATIONAL PARK AUTHORITY  
in the presence of:

Authorised Signatory ..



**SCHEDULE 1  
SPECIFICATION OF TREES**

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

<u>Reference on Map</u>	<u>Description</u>	<u>Situation</u>
T1	Oak tree	Growing adjacent to the driveway of The Birches, Windermere Grid Ref: SD 410 980

**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>
	N/A	

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

<u>Reference on Map</u>	<u>Description (including no of trees in the group)</u>	<u>Situation</u>
	N/A	

**Woodlands**  
(within a continuous black line on the map)

<u>Reference on Map</u>	<u>Description</u>	<u>Situation</u>
	N/A	

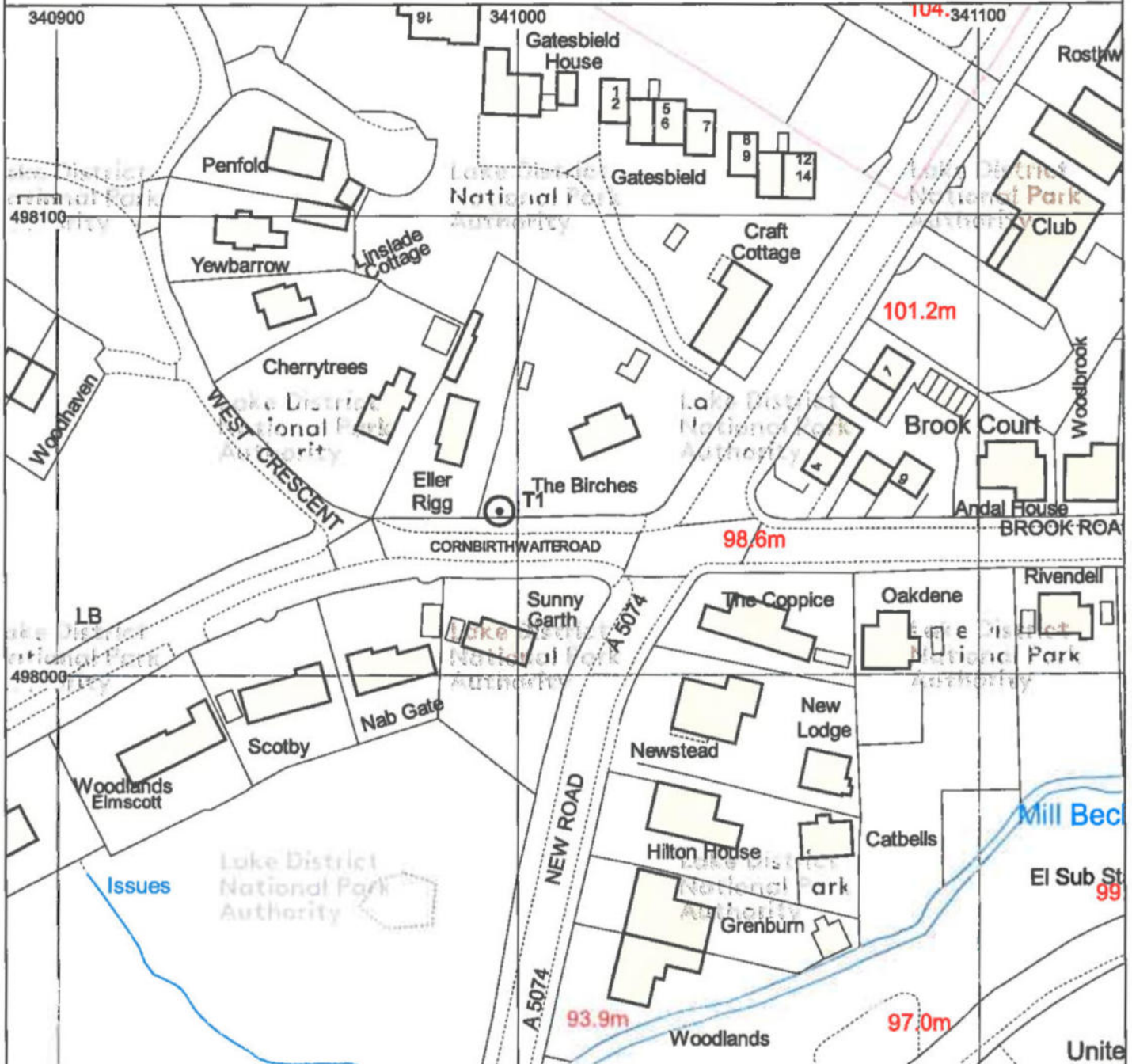
This Order was confirmed by the Lake District National Park Authority without modification as unopposed Order on the 18<sup>th</sup> day of October 2021

Signed on behalf of the Lake District National Park Authority

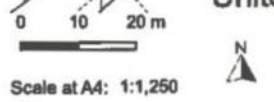


.....  
Authorised Signatory

**THE LAKE DISTRICT NATIONAL PARK AUTHORITY**  
**(Land at The Birches, Windermere)**  
**TREE PRESERVATION (No. 435) ORDER 2021**



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Given under the Common seal of the  
 Lake District National Park Authority

This 19<sup>th</sup> day of July

Two thousand and twenty one

.....  
 [Redacted Signature]

Authorised Signatory



**DATED: 19 July 2021**

**LAKE DISTRICT NATIONAL PARK  
AUTHORITY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE LAKE DISTRICT NATIONAL PARK  
AUTHORITY (LAND AT THE BIRCHES,  
WINDERMERE) TREE PRESERVATION  
(NO. 435) ORDER 2021**

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