

Maidstone Borough Council

Maidstone House,
King Street,
Maidstone, Kent ME15 6JQ

 maidstone.gov.uk

 [maidstonebc](https://twitter.com/maidstonebc)

 [maidstoneboroughcouncil](https://www.facebook.com/maidstoneboroughcouncil)

The Company Secretary
B.Yond Homes Limited
(Co. Regn. No. 0477317)
Luxford Place
Lower Road
Forest Row
East Sussex
RH18 5HE
By Recorded Delivery

Our Ref: M020257

Date: 7th November 2024

IMPORTANT – THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

Dear Sir/Madam

Town and Country Planning Act 1990

Town and Country Planning (Tree Preservation) (England) Regulations 2012

Tree Preservation Order No.5014/2024/TPO

Location: Land East of Albion Road and North of Copper Lane Marden Kent TN12 9EG

THIS IS A FORMAL NOTICE which is served on you because on **7th November 2024** 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 the:-

cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of any of the tree(s) specified in the Schedule and shown on the plan without the consent of the Local Planning Authority.

Some explanatory guidance on Tree Preservation Orders: *A guide to tree preservation procedures*, is available at <http://planningguidance.communities.gov.uk/blog/guidance/tree-preservation-orders/tree-preservation-orders-general/> produced by the Department for Communities and Local Government.

The Council's grounds for making the Order are the Council considers that the tree or trees contribute to amenity and local landscape character, and it is expedient to make a Tree Preservation Order (TPO).

The Council considers that the trees contribute to amenity and local landscape character and it is expedient to make a tree Preservation Order (TPO).

Under the Town and Country Planning (Tree Preservation)(England) Regulations 2012, the Order will take immediate provisional effect for six months starting from the date on which it was made. The Order must be confirmed before the expiration of this period for the protection to be made permanent.

Your comments **MUST MEET REGULATION 6** of the Town and Country Planning (Tree Preservation)(England) Regulations 2012 details of which can be found here <https://www.legislation.gov.uk/ukxi/2012/605/regulation/6/made>

All valid objections or representations are carefully considered before the Council decide whether to confirm the Order.

If you would like to make any objections or other comments about the Order, please do so in writing by **5th December 2024**. Your objections or comments should be sent to the Head of Legal Partnership, Mid Kent Legal Services, Maidstone House King Street Maidstone Kent ME15 6JQ or by email legalqueries@midkent.gov.uk

A copy of the Order is available for inspection at Maidstone Borough Council during normal office hours (except Bank Holidays). Please make an appointment to view by emailing legalqueries@midkent.gov.uk

The Council will write to you again when a decision has been taken on whether to confirm the Order has been made.

In the meantime, should you require any further information, or have any questions about this Order, please contact the Council's Landscape Team on 01622 602340 or email landscapeteam@maidstone.gov.uk

Yours Faithfully
Patricia Finch (Legal Assistant Planning)
Mid Kent Legal Services
T: 01622 602341
E: patricia.finch@midkent.gov.uk

For and on behalf of Claudette Valmond
Head of Mid Kent Legal Partnership

Tree Preservation Order

Town and Country Planning Act 1990

The Tree Preservation Order No.5014/2024/TPO

Location: Land East of Albion Road and North of Copper Lane Marden Kent TN12 9EG

The **Maidstone Borough 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

This Order may be cited as Maidstone Borough Council Tree Preservation Order No. 5014/2024/TPO- Land East of Albion Road and North of Copper Lane Marden Kent TN12 9EG

Interpretation

1. (1) In this Order “the authority” means the Maidstone Borough 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

2. (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

3. 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 7th day of November 2024

R.L.L. Jarman

.....
Authorised Officer to sign in that behalf
Rob Jarman
Head of Development Management
Maidstone Borough Council

SCHEDULE

Specification of trees

Tree Preservation Order: 5014/2024/TPO

Land East of Albion Road and North of Copper Lane Marden Kent TN12 9EG

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Common Oak)	Located to the south east of The Howlands Thorn Road Marden
T2	Common Oak)	Located to the east of The Howlands Thorn Road Marden
T3	Field Maple)	Land to the north of
T4	Oak)	Copper Lane Marden
T5	Oak)	
T6	Oak)	
T7	Oak)	
T8	Oak)	
T9	Oak)	
T10	Oak)	
T11	Oak)	Located to the west of 1 & 2 Holders Cottages Howland Road Marden
T12	Willow)	Located to the south of
T13	Oak)	1 & 2 Holders Cottages Howland Road Marden

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
NONE		

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
G1	Group of 8 No. Silver Birch	Southern garden boundary of Howlands Thorn Road Marden
G2	Group of 16 No. Hawthorn	Land the west of G3

G3	Group of 35 No. Silver Birch	Located to the west of 1 & 2 Holders Cottages Howland Road Marden
G4	Group of 5 No. Oak and 1 Field Maple	Located on the north west side of Thorn Road Marden

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
NONE		

THE MAIDSTONE BOROUGH COUNCIL

TREE PRESERVATION ORDER

Address: Land East of Albion Road and North of Copper Lane, Marden, Kent, TN12 9EG

Designations:	T1 – Common Oak	T7 – Oak	G1 – 8 Silver Birch
	T2 – Common Oak	T8 – Oak	G2 – 16 Hawthorn
	T3 – Field Maple	T9 – Oak	G3 – 35 Silver Birch
	T4 – Oak	T10 – Oak	G4 – 5 Oak, 1 Field Maple
	T5 – Oak	T11 – Oak	
	T6 – Oak	T12 – Willow	
		T13 – Oak	

TPO Number: 5014/2024/TPO



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. The Maidstone Borough Council Licence No. AC0000807001, 2024 Scale 1:2000

