Exmouth Town Council

Town Hall, St Andrews Road
Exmouth, Devon, EX8 1AW

tel: 01395 276167
email: reception@exmouth.gov.uk
www.exmouth.gov.uk

This meeting is open to the Public and Press

26 August 2026

To: Members of the Exmouth Town Council Planning Committee, other members of Exmouth Town Council for information & The Press

Dear Councillors

A Meeting of the Exmouth Town Council Planning Committee, to which you are summoned, will be held in the Chamber at Exmouth Town Hall, St Andrews Road, EX8 1AW on **Tuesday 1 September 2026 at 6.15pm** to consider the matters detailed on the agenda below.

Yours faithfully

Lisa Bowman
TOWN CLERK

AGENDA

1. Apologies for absence

PUBLIC SPEAKING

- Representations will be taken ahead of each discussion by Councillors on each application.
- **Members of the public wishing to speak on an application are required to pre-register in advance of the meeting.**
  To register you must email reception@exmouth.gov.uk or telephone 01395 276167 by 12 noon.
  The number of people that can speak on each application is limited to:
  - Major applications – parish/town council representative, 5 supporters, 5 objectors and the applicant or agent
  - Minor/Other applications – parish/town council representative, 2 supporters, 2 objectors and the applicant or agent.
- Representations may be up to 3 minutes.
- Speakers must begin, within their representation, by stating their name and interest in the application, and whether they are supporting or objecting to the application.
- Speakers must endeavour to avoid repeating themselves or earlier comments by others.
- The Chairman, at their absolute discretion, may ask for members of the public wishing to make similar points to choose one speaker to represent them all. This is to enable the business of the meeting to be carried out in a timely way and allow representations on other applications to be heard.

2. **Minutes of meeting held on 17 August 2026:**
   To confirm the minutes (copies attached)

3. **To receive any declarations of interest from members:**
   Members to declare any interests they may have on the agenda and agree any dispensations to stay.

4. **Urgent Business:**
   To consider any items which, in the opinion of the Chairman should be dealt with as a matter of urgency.

5. **Tree and advertising consent applications**

BRIXINGTON

Planning Application No: 26/1391/TRE

Location: 24 Hereford Close, EX8 5QT
Applicant: Robinson
Proposal: Birch (T1) - dead - fell. Oak (T2) - Dead top section, likely to fail. Remove dead top section, retaining lower growth.

Target Date: 07.09.26

Deferred from last meeting, revised Tree Officer's report attached.

HALSDON

Planning Application No: 26/1435/TRE

Location: 12 Highbury Park, EX8 3EJ
Applicant: Mrs Streat
Proposal: T1, Monterey Pine: shorten large, very long, low limb growing towards the house by approximately 3m to suitable growth points and thin 10% to relieve weight and to reduce risk of failure (tree has lost a large limb this summer due to sudden branch drop); shorten long, low limb growing over back fence and neighbours garden by approximately 4m to reduce weight and risk of failure; remove bifurcated limb in the mid to upper canopy with cracks visible on top of the limb.
T2, Monterey pine: remove deadwood from low limb over back fence.

Target Date: 07.09.26

LITTLEHAM

Planning Application No: 26/1507/TRE

Location: Aldborough Court 21 Douglas Avenue, EX8 2HA
Applicant: Anderson
Proposal: T1: Holm Oak - reduce northern aspect away from main building to previous pruning points, creating a minimum of 2m clearance. Making diameter of pruning cuts no bigger than 50mm.

Target date: 02.09.26

Tree Officer's report attached for information.

WITHYCOMBE RALEIGH

Planning Application No: 26/1392/TRE

Location: Land adjacent 72 Masey Road, EX8
Applicant: Ms Kherys Boddy Bradleys Block Management
Proposal: T3: Norway Maple – reduce low southern limb by 2 metres, maximum diameter of cuts (MDC) 50mm. T8: Alder – crown lift to 2.5m above ground level.

Target Date: 03.09.26

6. Planning applications.

BRIXINGTON

None

HALSDON

Planning Application No: 26/1622/FUL

Location: Withycombe Rugby Football Club Raleigh Park, Hulham Road, EX8 3HS
Applicant: Mr Max Rait
Proposal: Erection of 8 no. floodlighting columns with associated luminaires, cabling and feeder pillar.

Date limit for comments: 08.09.26

LITTLEHAM

None

TOWN

Planning Application No: 26/1647/FUL

Location: 19 Rolle Street, EX8 1EZ
Applicant: Mr Dave Slater
Proposal: Proposed alterations to front facade to provide new external door
Date limit for comments: 11.09.26

WITHYCOMBE RALEIGH

None

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7. Other items

i. Regulation 5 Notice under the Electronic Communications Code

Location: Listed Building, Highcliffe, 10 Louisa Terrace, EX8 2AQ
Applicant: Openreach
Proposal: To note the receipt of a Regulation 5 Notice under The Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (as amended) and consider whether the Council wishes to submit comments or request reasonable conditions relating to the proposed installation.

Openreach has notified the Local Planning Authority of its intention to install electronic communications apparatus in accordance with Regulation 5 of The Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (as amended). The notice provides details of the proposed apparatus and its location, copy attached for information.

Matters for Consideration:

- Impact on the character and appearance of the area.
- Effects on highway and pedestrian safety.
- Potential impacts on neighbouring properties and local amenity.
- Suitability of the proposed siting and design.
- Any alternative locations or mitigation measures that could be requested.
- Any reasonable conditions that the Council wishes to recommend to the Local Planning Authority.

Date limit for comments: 22.09.26

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8. Items for information

i. Notification of New Premises Licence Application received.

Ref No: 062474
Premises: Anima – 20 The Strand, EX8 1AF
Ward: Town
Name of Applicant: Miss Vanessa Gottardi

Details of the application can be viewed on EDDC's website.

Date limit for comments: 09.09.26

ii. Appeal Notification

Appeal ref: 6013579
Appeal by: Mr Chris Martin
Application Ref: 26/0248/FUL
Location: 3 Greenpark Road, EX8 4JL
Proposal: Proposed new dwelling and associated amenity and off road parking.

An appeal has been made to the Secretary of State against the decision of East Devon District Council to refuse to grant consent planning permission for the proposed development. Copy letter attached for information.

iii. Appeal Notification

Appeal ref: 6013380
Appeal by: Mr B Penny
Application Ref: 23/2740/OUT
Location: Land South of Courtlands Lane
Proposal: Outline permission for the construction of up to six dwellings sought with all matters reserved other than access.

An appeal has been made to the Secretary of State against the decision of East Devon District Council to refuse to grant consent planning permission for the proposed development. Copy letter attached for information.

iv. Tree Preservation Order

26/0032/TPO – Land at Dene, Littlemead Lane

Confirmation of the above new TPO, details attached.

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9. East Devon District Council – Planning Decisions

Application	*Exmouth Town Council View*	*EDDC Decision*
26/1456/FUL 59 Featherbed Lane	No objection	Approval
26/1372/FUL 45 Cranford Avenue	No objection	Approval
26/1303/FUL 20 St Johns Road	No objection	Approval
26/1272/FUL **1 Scott Drive**	**No objection**	**Refusal**
24/1583/FUL 28 Halsdon Avenue	No objection	Approval
26/1287/FUL 108 Exeter Road	No objection	Approval
26/1037/FUL 10 Elwyn Road	Objection	Refusal
26/0962/FUL 88 Foxholes Hill	No objection	Approval

DELEGATED REPORT

Application No: **26/1391/TRE**

Location: **24 Hereford Close**
Exmouth
EX8 5QT

Proposal: **Birch (T1) - dead - fell.**

Oak (T2) - Dead top section, likely to fail. Remove dead top section, retaining lower growth.

Development Type: **TPO**

Date of Site Visit: **23.07.2026**

Consultation Period End Date: **07.08.2026**

CONSULTATIONS

None received.

CONTRIBUTORS

Other Representations

None.

OFFICER REPORT

The Birch, subject of this application, is a maturing specimen of approximately 10m height, located along the northern boundary of the property's rear garden.

At the time of the site visit, the tree exhibited severe decline: all its leaves were brown and the branch ends were dry and brittle. The tree was either nearing death, or dead; drought conditions the most likely cause.

DELEGATED REPORT



Photograph 1 – View of the dead, or dying, Birch from Gorse Lane.

Due to the moribund condition of the tree, there is no arboricultural reason to refuse its removal.

Replacement planting is a condition of its felling.

The Oak, which is intended to have the dead wood removed, is a small specimen exhibiting signs of stress as the are many defoliated branches. As the removal of deadwood is exempt from the usual requirement of The Town and Country Planning Act there is no objection to these works being undertaken.



Photograph 2 – The Oak with sparse leaf coverage.

CONCLUSION

Approve subject to conditions.

DELEGATED REPORT

RECOMMENDATION

APPROVE:

1. The works, hereby consented to, shall be carried out within a period of 2 years from the date of this decision notice.
   (Reason - To ensure that the works are carried out within a reasonable period of time.)

2. The works hereby consented to shall be carried out in accordance with British Standard 3998: 2010 (Tree Work - Recommendations).
   (Reason - In the interests of amenity and to ensure the works are carried out in a satisfactory manner.)

3. A replacement tree shall be planted as close as practicable to the same location in the first planting season following the felling of the tree hereby permitted to be removed. The replacement tree shall be a minimum of 8 -10cm in girth and shall be maintained for a period of five years; such maintenance to include the replacement of the tree should it die. The species of the tree may be selected be from the following list or such other species and location, size and timing as may be agreed in writing by the Local Planning Authority.

   Foxglove Tree (Paulonia tomentosa)
   Tulip Tree (Liriodendron tulipifera)
   Sweet Gum (Liquidamber styraciflua)

   (Reason - To maintain continuity of tree cover and compensate for the loss of amenity.)

	Service Lead Planning Strategy and Development Management	**Development Manager**	**Principal Planning Officer**
Authorised By			
Date			

Statement on Human Rights and Equality Issues

Human Rights Act:
The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:
In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality

DELEGATED REPORT

Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

DELEGATED REPORT

Application No: **26/1507/TRE**

Location: **Aldborough Court**
21 Douglas Avenue
Exmouth
Devon
EX8 2HA

Proposal: **T1: Holm Oak - reduce northern aspect away from main building to previous pruning points, creating a minimum of 2m clearance. Making diameter of pruning cuts no bigger than 50mm.**

Development Type: **TPO**

Date of Site Visit: **04.06.2026**

Consultation Period End Date: **21.08.2026**

CONSULTATIONS

None received.

CONTRIBUTORS

Other Representations

None.

OFFICER REPORT

The tree is a mature, slightly spherical formed Holm Oak growing to the south of Aldborough Court. The tree is clearly visible from Douglas Avenue and makes a significant contribution to the amenity of the area. The tree shows good extension growth, being approximately 50cm from previous pruning, and has a dense crown typical of the species. Historically, the tree has been pruned back from the adjacent apartments and there is evidence of other pruning works.

The application seeks to reduce the proximity of crown spread from the apartment complex to the north by undertaking a canopy reduction of no more than 2m. The distance from the edge of the crown to closest part of the building (balcony) is at least 1.5m, and from the southern face of the building around 3m. A recently submitted application, 26/1042/TRE, which sought to reduce the whole crown by 2m was refused as those works were considered excessive and not arboriculturally justified. Whilst the reduction of the northern aspect of the tree is not particularly necessary at this time, the reduction in scope of the tree works as compared to the previous proposal is considered reasonable.

DELEGATED REPORT



Photograph 1 – shows the proximity of the crown to the south façade of Aldborough Court.

CONCLUSION

Approve subject to conditions.

RECOMMENDATION

APPROVE

1. The works, hereby consented to, shall be carried out within a period of 2 years from the date of this decision notice.
   (Reason - To ensure that the works are carried out within a reasonable period of time.)

2. The works hereby consented to shall be carried out in accordance with British Standard 3998: 2010 (Tree Work - Recommendations).
   (Reason - In the interests of amenity and to ensure the works are carried out in a satisfactory manner.)

	Service Lead Planning Strategy and Development Management	**Development Manager**	**Principal Planning Officer**
Authorised By			
Date			

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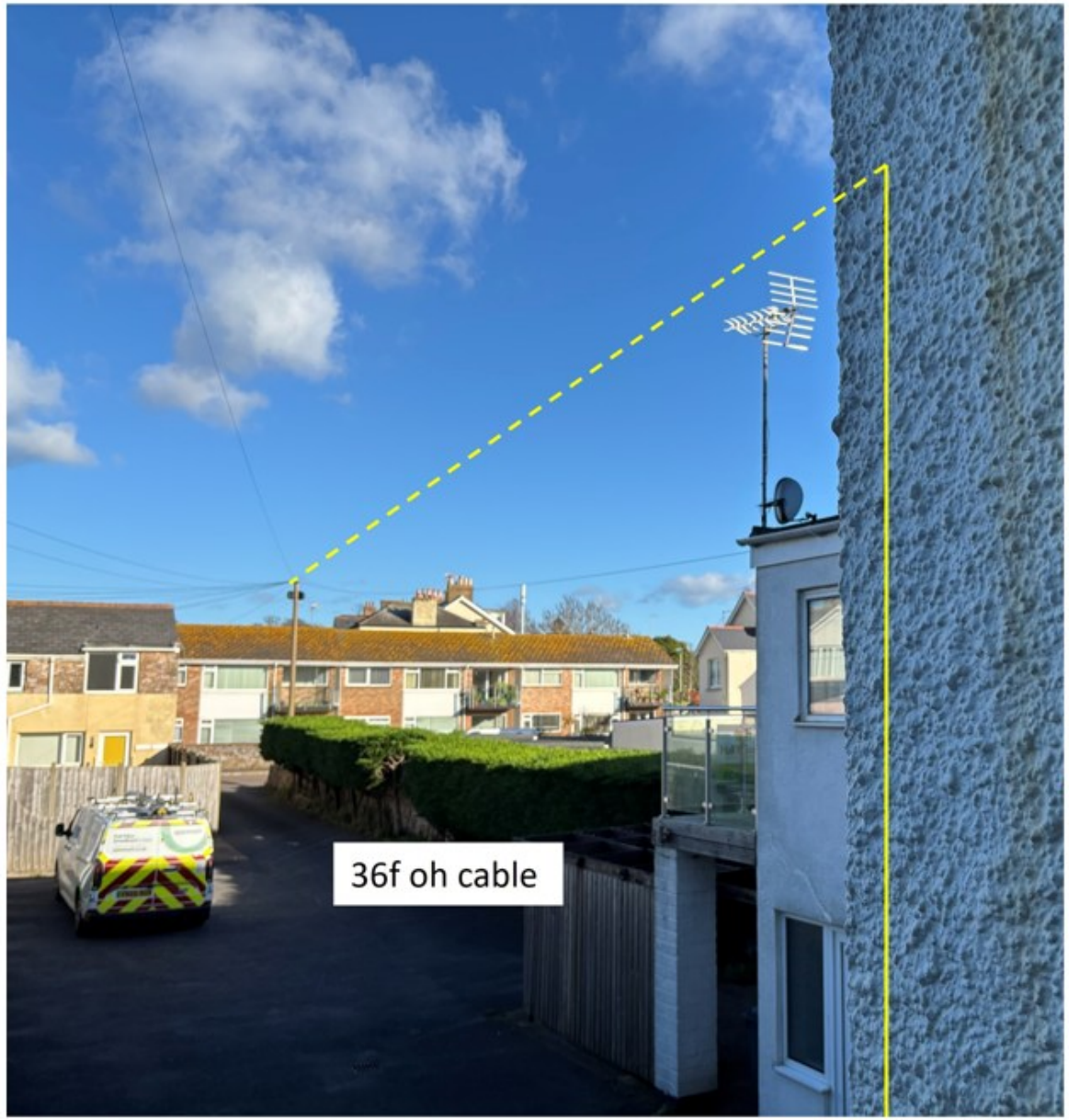
Survey Route Approval for flats 1-8 Highcliffe, Louisa Terrace, Exmouth EX8 2AQ

Surveyed by Claire Greenaway 07483 960136





The MDU is set over 4 levels accessed from the rear via Louisa Place. The driveway is next to the hollow pole that feeds the site.
There is parking available in the car park.



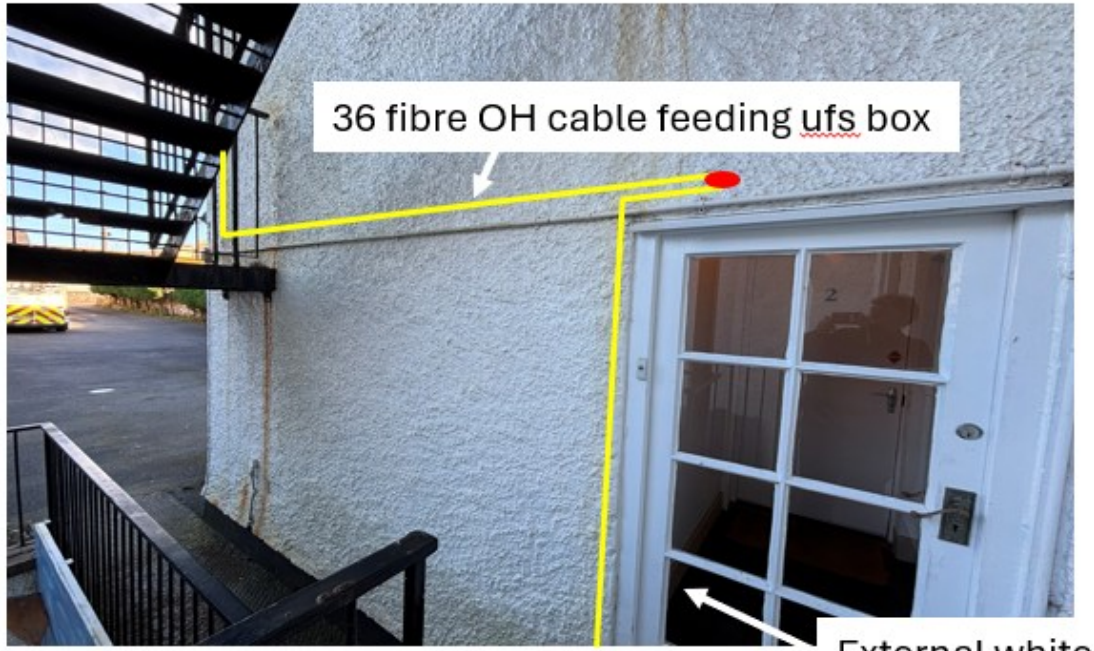




Feed OH fibre cable from the hollow pole DP68 at the rear of the MDU. Span to a point on the side wall accessed via1st floor fire escape of similar height to dropwire on adjacent block for clearance.



General

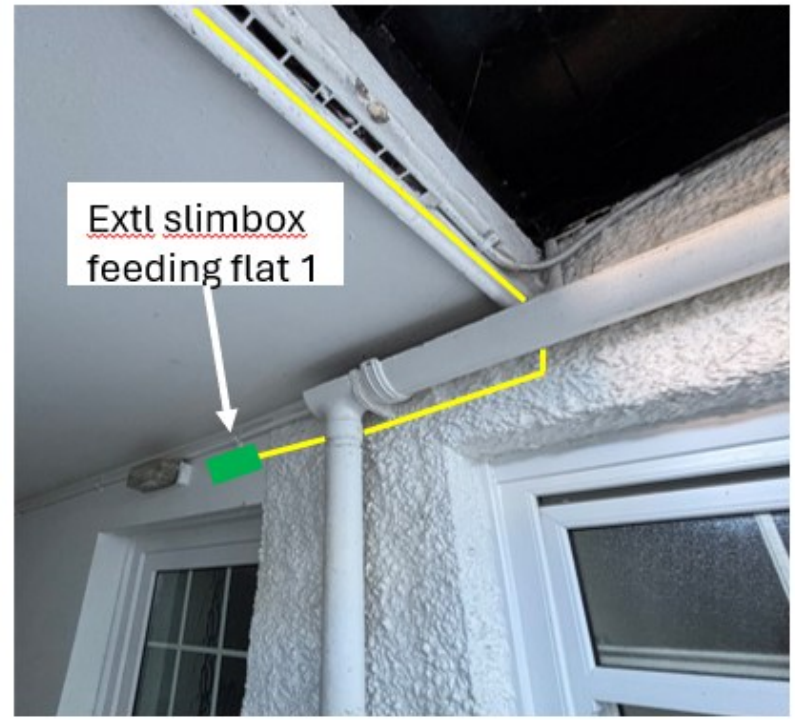






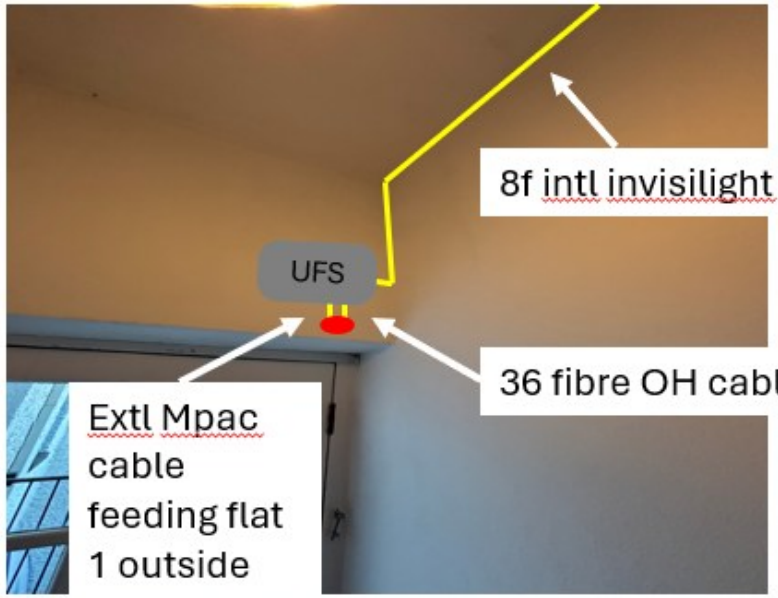


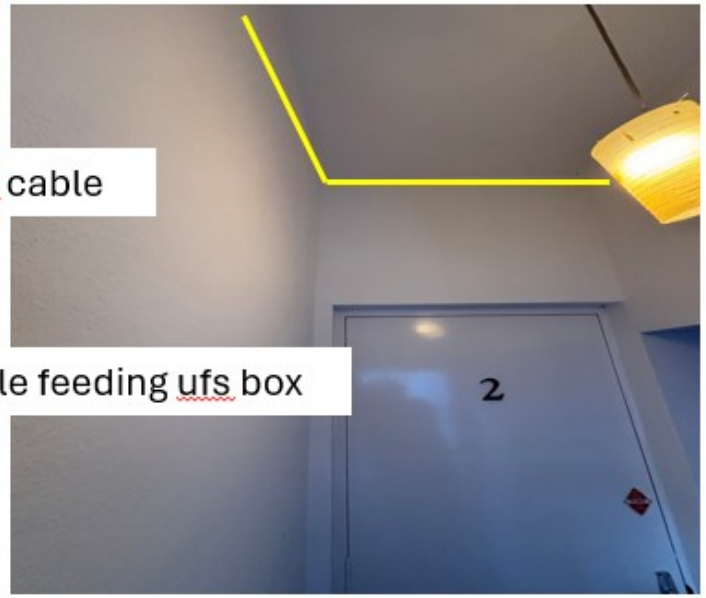


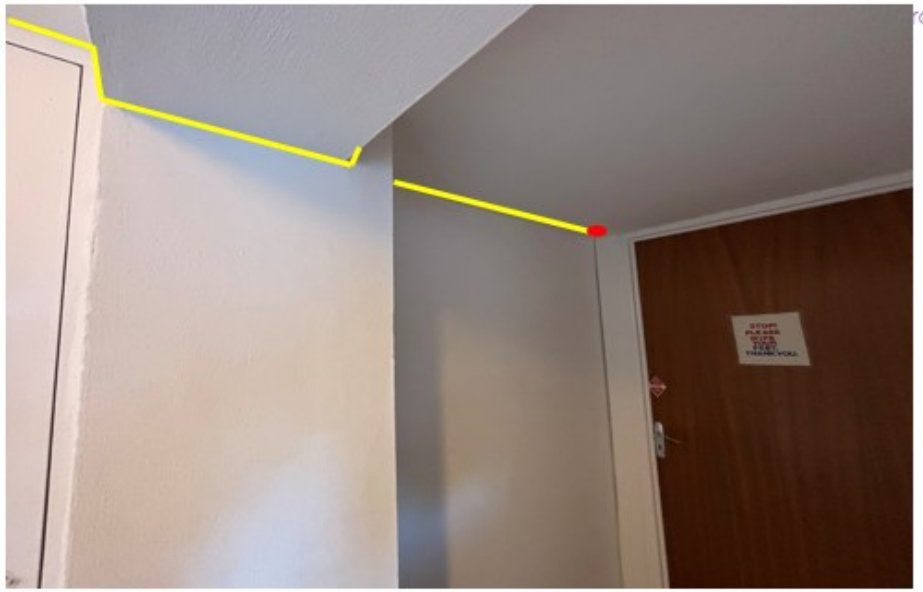


Route of the external white cable which runs back outside from the ufs box and downstairs to feed flat 1.
This cable can be painted over to match the look of the building.

General











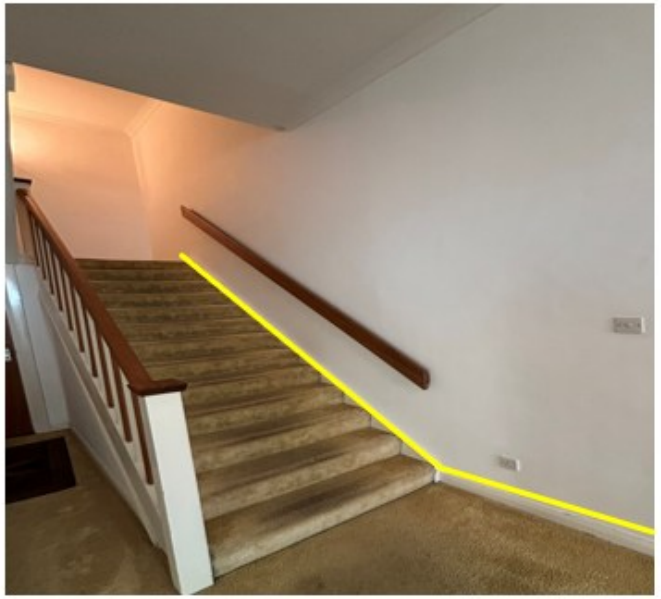


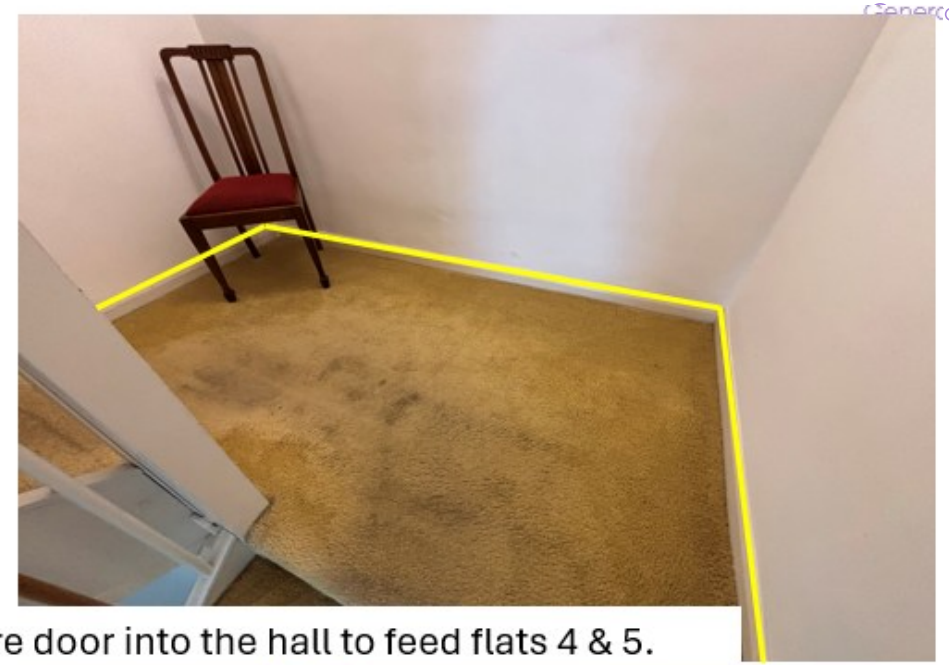
Terminate the extl cable on a ufs box inside the back door and splice on 1 x external 12f mpac cable (to feed extl flat 1) and an 8f internal invisilight cable to feed the internal flats. Run the internal cable round at high level and through above the fire door into the main hallway. Run over the door and drop down to run around the skirting boards using the glue and pin method to feed the gf.

General

General

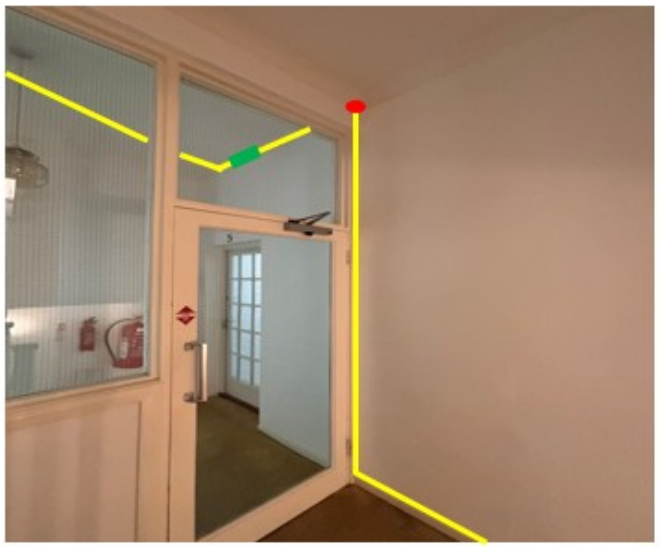






Route at low level up the stairwell to the second floor. Pass through above the fire door into the hall to feed flats 4 & 5.

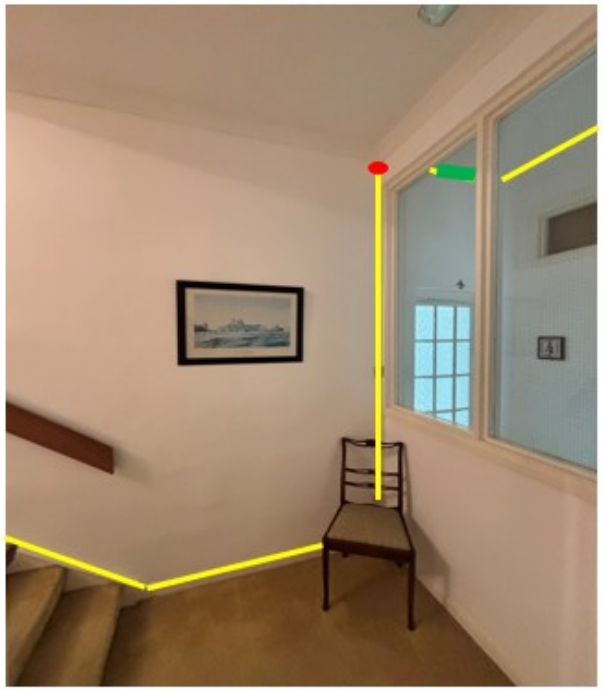


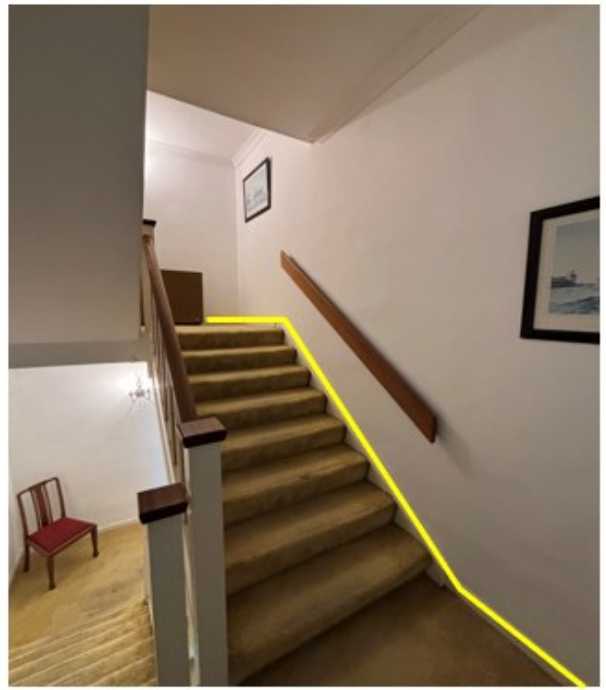




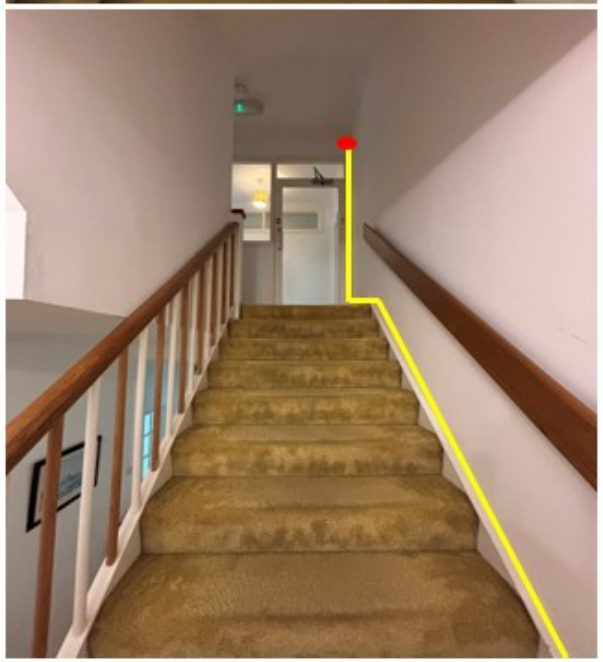
Once the cable is through above the fire door, run around the hall at high level to fed the flats then pass back through above the door partition and drop back down to skirting level on the stairwell.

General







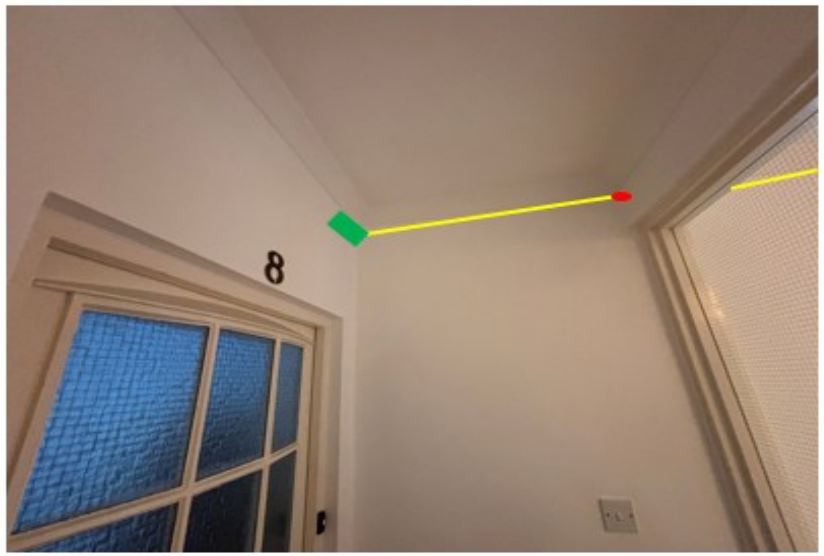


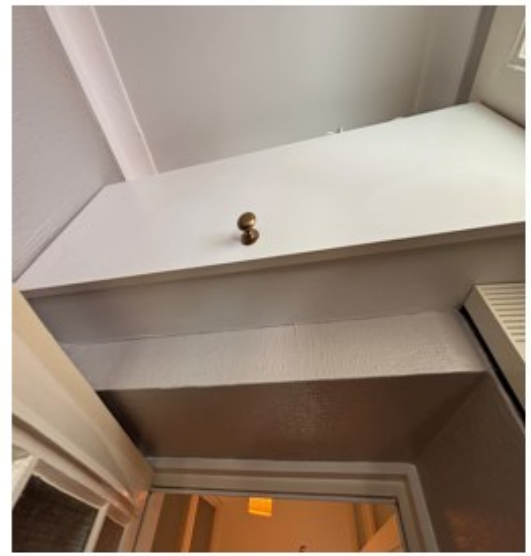


Drop back down to low level to run around the skirting board up the stairwell to the top level. Again, route the cable through above the fire door into the hallway. Firestop all holes with compound no1.









On the top floor run around at high level to feed flats 7 & 6 then pass through above the fire partition to end the run outside flat 8. It is possible to mount the poes at high level as it backs onto the services cupboard inside thee flats.

Date:	19 August 2026
Please contact:	Mr R Capon (01395 517521)
E-mail:	Planningappeals@eastdevon.gov.uk
Our Reference:	**26/0248/FUL**

East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
Devon
EX14 1EJ

DX48808 Honiton

Tel: 01395 516551

www.eastdevon.gov.uk

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr Chris Martin

APPEAL REF: 6013579

PROPOSAL: Proposed new dwelling and associated amenity and off-road parking

LOCATION: 3 Greenpark Road Exmouth EX8 4JL

I refer to the above details. An appeal has been made to the Secretary of State against the decision of the East Devon District Council to refuse to grant planning permission for the proposed development.

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in Part 2 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009, as amended.

We have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant. These will be considered by the Inspector when determining the appeal.

If you wish to make comments, or modify/withdraw your previous representation, you can do so online at https://appeal-planning-decision.service.gov.uk/comment-planning-appeal/enter-appeal-reference.

In deciding whether to provide further comments, you are advised that the appellant may have submitted additional evidence that you have not previously seen. Your comments can address such matters.

If you do not have access to the internet, you can send your comments to The Planning Inspectorate, c/o QUADIENT, 69 Buckingham Avenue, Slough SL1 4PN.

All representations must be received by 23 September 2026. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.** Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

You can view the appeal documents for this application on our website: www.eastdevon.gov.uk.

You can get a copy of one of the Planning Inspectorate's 'Guide to taking part in planning appeals' booklets free of charge from GOV.UK at https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal or from the Council on request.

When made, the decision will be published online at https://appeal-planning-decision.service.gov.uk/comment-planning-appeal/enter-appeal-reference.

Yours faithfully

R Capon

Senior Technical Officer
Development Management

Date:	14 August 2026
Please contact:	Mr R Capon (01395 517521)
E-mail:	Planningappeals@eastdevon.gov.uk
Our Reference:	**23/2740/OUT**

East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
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Devon
EX14 1EJ

DX48808 Honiton

Tel: 01395 516551

www.eastdevon.gov.uk

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr B Penny

APPEAL REF: 6013380

PROPOSAL: Outline permission for the construction of up to six dwellings sought with all matters reserved other than access

LOCATION: Land South Of Courtlands Lane Exmouth

I refer to the above details. An appeal has been made to the Secretary of State against the decision of the East Devon District Council to refuse to grant planning permission for the proposed development.

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All representations must be received by 11 September 2026. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.** Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

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When made, the decision will be published online at https://appeal-planning-decision.service.gov.uk/comment-planning-appeal/enter-appeal-reference.

Yours faithfully

R Capon

Senior Technical Officer
Development Management

East Devon District Council Tree Preservation Order 26/0032/TPO

Land at Dene, Littlemead Lane, Exmouth



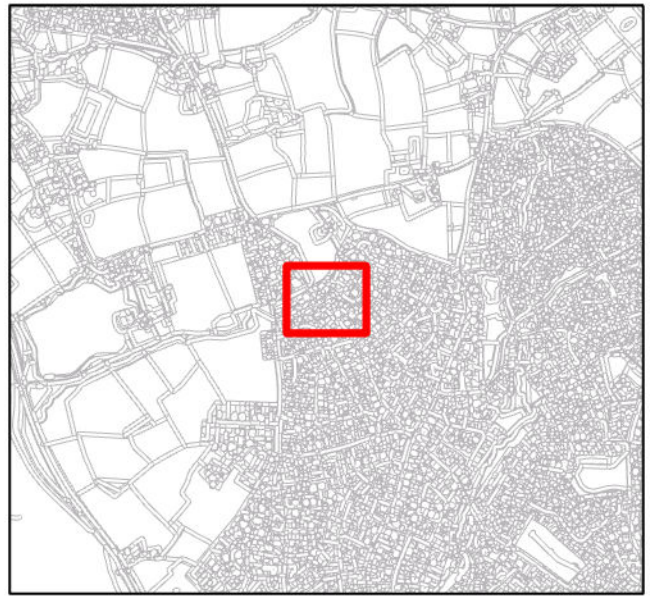
East Devon District Council

Key

- Tree
- Area
- Group
- Wood

Authorised Signature

24 August 2026



1:1,250 0 12.5 25 50 Metres

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TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (England) REGULATIONS 2012

Town and Country Planning Act 1990
TREE PRESERVATION ORDER (NO. 26/0032/TPO)

East Devon District Council, 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 Tree Preservation Order No. 26/0032/TPO, "Land at Dene, Littlemead Lane, Exmouth", 24th August 2026.

Interpretation
2.— (1) In this Order "the authority" means East Devon District 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 shall take effect provisionally on 24th August 2026.

(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 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 24 August 2026

Signed on behalf of East Devon District Council



.....
Authorised by the Council to sign in that behalf

[CONFIRMATION OF ORDER

This Order was confirmed by East Devon District Council without modification on ..... day of

....

OR

This Order was confirmed by East Devon District Council on ..... day of ....
subject to the following modification(s):

.....
Authorised by the Council to sign in that behalf**]**

[DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by East Devon District Council on ..... day of

....

.....
Authorised by the Council to sign in that behalf**]**

[VARIATION OF ORDER

This Order was varied by East Devon District Council on ..... day of ....

under the reference number .....

.....
Authorised by the Council to sign in that behalf**]**

[REVOCATION OF ORDER

This Order was revoked by East Devon District Council on ..... day of ....

.....
Authorised by the Council to sign in that behalf**]**

SCHEDULE

SPECIFICATION OF TREES

TREE PRESERVATION ORDER NO. 26/0032/TPO

LAND AT DENE, LITTLEMEAD LANE, EXMOUTH

REF. ON MAP	DESCRIPTION	SITUATION		
TREES SPECIFIED INDIVIDUALLY *(Encircled in a solid black line on map)*				
T1	Cork Oak	Centred on grid ref:	(E) 300494	(N) 083177

TREES SPECIFIED BY REFERENCE TO AN AREA
(None)

GROUP OF TREES
(None)

WOODLAND
(None)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to England only, substantially revoke and replace the Town and Country Planning (Trees) Regulations 1999, to the extent to which they apply to England. They also revoke the Town and Country Planning (Trees) (Amendment) (England) Regulations 2008 and the Town and Country Planning (Trees) (Amendment No. 2) (England) Regulations 2008.

Part 2 prescribes the form of tree preservation orders and the procedure for their making, provisional effect, confirmation, variation and revocation. The prescribed form is set out in the Schedule to the Regulations.

Part 3 of the Regulations sets out prohibited activities in relation to a tree protected by an order and exceptions. Under regulation 13 a tree protected by a tree preservation order may not be cut down, topped, lopped, uprooted or wilfully damaged or destroyed without the consent of the local planning authority, unless an exception applies. These exceptions are set out in sections 198(7) and 200(1) of the Town and Country Planning Act 1990, and in regulation 14 of the Regulations.

Section 198(7) provides exceptions relevant to section 39(2) of the Housing and Planning Act 1986 (c.63) (saving for effect of section 2(4) of the Opencast Coal Act 1958 (c. 69) on land affected by a tree preservation order despite its repeal) and section 15 of the Forestry Act 1967 (c.10) (licences under that Act to fell trees comprised in a tree preservation order).

Section 200(1) provides that a tree preservation order does not have effect in respect of anything done by or on behalf of Forestry Commissioners on land placed at their disposal in pursuance of the Forestry Act 1967 or otherwise under their management or supervision or anything done by or on behalf of any other person under a plan of works approved by the Forestry Commissioners under a forestry dedication covenant (as defined in section 5 of the Forestry Act 1967) or under conditions of a grant or loan made under section 1 of the Forestry Act 1979 (c. 21).

Regulation 14 contains exceptions to the requirement for consent and regulation 15 contains exceptions for trees in conservation areas.

Part 4 of the Regulations prescribes the procedure for applications for consent under tree preservation orders.

Part 5 prescribes the procedure for appeals and for their determination. Regulation 19 grants a right of appeal in respect of a refusal to grant consent, a grant of consent subject to conditions or a failure to determine an application for consent within the prescribed time period.

In Part 6, regulation 24 provides for compensation claims, subject to exceptions, to be made where loss or damage has been incurred as a consequence of a refusal to grant consent, a grant of consent subject to conditions or a refusal of approval required under a condition.

Part 7 contains miscellaneous provisions. Regulation 25 provides that the prescribed time for the purposes of sections 206(1)(b) (replacement trees) and 213(1)(b) (enforcement of controls as respects trees in conservation areas) is whenever the cutting down or uprooting of a tree is authorised only by virtue of regulations 14(1)(a)(i) or 14(1)(c) (dead or dangerous trees).

Regulation 26 revokes the Town and Country Planning (Trees) Regulations 1999, the Town and Country Planning (Trees) (Amendment) (England) Regulations 2008 and the Town and Country Planning (Trees) (Amendment No.2) (England) Regulations 2008, subject to transitional, transitory and saving provisions in respect of certain classes of order. This regulation also saves regulation 17 of the Town and Country Planning (Trees) Regulations 1999 (amendment to the Town and Country Planning General Regulations 1992).

Under section 193 of the Planning Act 2008 (c. 29), all tree preservation orders made prior to the date on which these Regulations come into force take effect with the omission of all of their provisions other than any that identify the order or identify the trees, groups of trees or woodlands to which the order applies.

A full impact assessment of the effect that this instrument will have on the costs of business, charities and the voluntary sector has been prepared in relation to these Regulations. The assessment has been placed in the Library of each House of Parliament and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk). The assessment may also be accessed at www.communities.gsi.gov.uk.