If you would rather make this application online, you can do so on our website:
https://www.planningportal.co.uk/apply

PLANNING PORTAL

Application for tree works: works to trees subject to a tree preservation order (TPO)and/or notification of proposed works to trees in a conservation area.
Town and Country Planning Act 1990

Privacy Notice

This form is provided by Planning Portal and based on the requirements provided by Government for the sole purpose of submitting information to the Local Planning Authority in accordance with the legislation detailed on this form.

Please be aware that once you have downloaded this form, Planning Portal will have no access to the form or the data you enter into it. Any subsequent use of this form is solely at your discretion, including the choice to complete and submit it to the Local Planning Authority in agreement with the declaration section.

Upon receipt of this form and any supporting information, it is the responsibility of the Local Planning Authority to inform you of its obligations in regards to the processing of your application. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

Local Planning Authority details:

Development Management, Economic Development and Planning,
County Hall, Bythesea Road, Trowbridge, BA14 8JN
Tel: 0300 456 0114 Email: developmentmanagement@wiltshire.gov.uk

Wiltshire Council

Publication of applications on planning authority websites

Information provided on this form and in supporting documents may be published on the authority's planning register and website.

Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information. If you require any further clarification, please contact the Local Planning Authority directly.

If printed, please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes and help text as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:	Mr
First name:	Garry
Last name:	Pells
Company (optional):	
Unit:	
House number:	37
House suffix:	
House name:	
Address 1:	Vespasian Road
Address 2:	
Address 3:	
Town:	MARLBOROUGH
County:	
Country:	
Postcode:	SN8 2FB

2. Agent Name and Address

Title:	
First name:	
Last name:	
Company (optional):	
Unit:	
House number:	
House suffix:	
House name:	
Address 1:	
Address 2:	
Address 3:	
Town:	
County:	
Country:	
Postcode:	

3. Trees Location

f all trees stand at the address shown in Question 1, go to Question 4. Otherwise, please provide the full address/location of the site where the tree(s) stand (including full postcode where available)

Unit: | House number: | House suffix:

House name: Ash Lodge

Address 1: Chopping Knife Lane

Address 2:

Address 3:

Town: MARLBOROUGH

County:

Postcode (if known):

f the location is unclear or there is not a full postal address, either describe as clearly as possible where it is (for example, 'Land to the ear of 12 to 18 High Street' or 'Woodland adjoining Elm Road') or provide an Ordnance Survey grid reference:

Description:

4. Trees Ownership

Is the applicant the owner of the tree(s): ☐ Yes ☐ No

If 'No' please provide the address of the owner (if known and if different from the trees location)

Title: Mr | First name: Ben

Last name: YATES

Company (optional):

Unit: | House number: | House suffix:

House name: AS Left

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone numbers

Country code: | National number: | Extension number:

Country code: | Mobile number (optional):

Country code: | Fax number (optional):

Email address (optional):

5. What Are You Applying For?

Are you seeking consent for works to tree(s) subject to a TPO? ☒ Yes ☐ No

Are you wishing to carry out works to tree(s) in a conservation area? ☐ Yes ☐ No

6. Tree Preservation Order Details

If you know which TPO protects the tree(s), enter its title or number below.

215/ 2003

7. Identification Of Tree(s) And Description Of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out. Continue on a separate sheet if necessary. You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work. Where trees are protected by a TPO, please number them as shown in the First Schedule to the TPO where this is available. Use the same numbers on your sketch plan (see guidance notes).

Please provide the following information below : tree species (and the number used on the sketch plan) and description of works. Where trees are protected by a TPO you must also provide reasons for the work and, where trees are being felled, please give your proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

E.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with 1 standard ash in the same place.

Walnut Tree T3 on the attached plan

Prune the tree

The tree is overhanging our garden. I am concerned it is so close it will invalidate my house insurance.It is very tall and very full.

In full leaf it blocks the light from our garden.

It dumps maybe 40Kg of leaves in our garden at this time of year which I have to dispose of.

7. Identification Of Tree(s) And Description Of Works continued ...

Being a brittle tree pieces fall off regularly - which I don't want falling on me, my wife or my grandchildren who play in our garden.

I would like to prune it down to a sensible size - as we did in 2016. Ben the owner was quite happy for both sides and the height of the tree of the tree to be pruned - especially ifI paid !

It needs to be reduced in crown height and reduced in width at least back to my fence.
Regrettably it will all grow back again.

8. Trees - Additional Information

Additional information may be attached to electronic communications or provided separately in paper format.

For all trees

A sketch plan clearly showing the position of trees listed in Question 7 must be provided when applying for works to trees covered by a TPO. A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes). It would also be helpful if you provided details of any advice given on site by an LPA officer.

For works to trees covered by a TPO

Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application must be accompanied by the necessary evidence to support your proposals. (See guidance notes for further details)

1. **Condition of the tree(s)** - e.g. it is diseased or you have fears that it might break or fall: ☐ Yes ☒ No
   If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

2. **Alleged damage to property** - e.g. subsidence or damage to drains or drives. ☐ Yes ☒ No
   If YES, you are required to provide for:

   Subsidence
   A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.

   Other structural damage (e.g. drains, walls and hard surfaces)
   Written technical evidence from an appropriate expert, including description of damage and possible solutions.

Documents and plans (for any tree)

Are you providing separate information (e.g. an additional schedule of work for Question 7)? ☒ Yes ☐ No

If YES, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application. If they are being provided separately from this form, please detail how they are being submitted.

9. Authority Employee / Member

It is an important principle of decision-making that the process is open and transparent. For the purposes of this question, "relating to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the local planning authority.

Do any of the following statements apply to you and/or agent? ☐ Yes ☒ No

With respect to the authority, I am:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

If Yes, please provide details of their name, role and how you are related to them.

10. Application for Tree Works - Checklist

Only one copy of the application form and additional information (Question 8) is required. Please use the guidance and this checklist to make sure that this form has been completed correctly and that all relevant information is submitted. Please note that failure to supply precise and detailed information may result in your application being rejected or delayed. You do not need to fill out this section, but it may help you to submit a valid form.

Sketch Plan

- A sketch plan showing the location of all trees (see Question 8) ☒

For all trees
(see Question 7)

- Clear identification of the trees concerned ☒
- A full and clear specification of the works to be carried out ☒

For works to trees protected by a TPO
(see Question 7)

Have you:

- stated reasons for the proposed works? ☐
- provided evidence in support of the stated reasons? in particular:
  - if your reasons relate to the condition of the tree(s) - written evidence from an appropriate expert ☐
  - if you are alleging subsidence damage - a report by an appropriate engineer or surveyor and one from an arboriculturist. ☐ YOU CAN'T TELL UNTIL IT FALLS DOWN ON YOUR HOUSE
  - in respect of other structural damage - written technical evidence ☐
- included all other information listed in Question 8? ☐

11. Declaration - Trees

/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional nformation. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant: [redacted]

Or signed - Agent:

Date (DD/MM/YYYY): 29/09/2023 (This date must not be before the date of sending or hand-delivery of the form)

12. Applicant Contact Details

Telephone numbers

Country code: | National number: | Extension number:

Country code: | Mobile number (optional):

Country code: | Fax number (optional):

Email address (optional):

13. Agent Contact Details

Telephone numbers

Country code: | National number: | Extension number:

Country code: | Mobile number (optional):

Country code: | Fax number (optional):

Email address (optional):

lectronic communication - If you submit this form by fax or e-mail the LPA may communicate with you in the same manner.
Please see guidance notes)

21/12/2003

Town and Country Planning Act 1990

Insert title of Order (including year)

Trees at Ash Lodge, Chopping Knife Lane, Marlborough, Wiltshire. 2003

TREE PRESERVATION ORDER, 2003

Insert name of Council

The Kennet District Council

in exercise of the powers conferred on them by sections 198 [,201[a]] [and] 203 of the Town and Country Planning Act 1990[b].

Insert name of appropriate authority

hereby make the following Order :–

Citation

Insert title of Order (including year)

1. This Order may be cited as Trees at Ash Lodge, Chopping Knife Lane, Marlborough, Wiltshire - 2003

Interpretation

Name of Council making the Order

2. In this Order "the authority" means the Kennet District Council

and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990.

[Application of section 201

Insert date

3. The authority hereby direct that section 201 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on 19th November, 2003

Prohibited acts in relation to trees

4. Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation orders)[c] [or subsection (3) of section 200 (orders affecting land where Forestry commissioners interested)], and subject to article 5, 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 Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given subject to conditions, in accordance with those conditions.

Exemptions

5. (1) Nothing in article 4 shall prevent–

(a) the cutting down, topping, lopping or uprooting of a tree by or at the request of statutory undertaker, where the land on which the tree is situated is operational land[d] of the statutory undertaker and the work is necessary–

(a) Under section 199(1), tree preservation orders generally do not take effect until confirmed, but a direction may be given under section 201 for an order to take provisional effect immediately.

(b) Where the Order is to be made under the sections cited *and* section 300 of the Town and County Planning Act 1990, all those provisions should be cited, as should the fact of the consent of the appropriate authority. As to the circumstances in which the consent of the Forestry Commission is required (and should be cited) see section 200(1) of the Act.

(c) Subsection (6) of section 198 exempts from the application of tree preservation orders the cutting down, uprooting, topping or lopping of trees which are dying, dead or have become dangerous, or the undertaking of those acts in compliance with obligations imposed by or under an Act of Parliament or so far as may be necessary for the prevention or abatement of a nuisance. Subsection (7) of that section makes section 198 subject 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 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).

[Application to trees to be planted pursuant to a condition

10. In relation to the tree[s] identified in the first column of Schedule 1 by the letter "C", being [a tree] [trees] to be planted pursuant to a condition (being 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 [that tree is planted] [those trees are planted.]

[Orders made by virtue of section 300

11. This Order takes effect in accordance with subsection (3) of section 300 (tree preservation orders in anticipation of disposal of Crown land).]

Dated this 19th day of November 2003 *(month and year)*

(if the Council's Standing Orders require the sealing of such documents:)

[The common Seal of the Kennet District Council was hereunto affixed in the presence of –

Chairman of Resources Executive

Solicitor to the Council

(if the Council's Standing Orders do not require the sealing of such documents:)

[Signed on behalf of the *(name of Council)*

.....

Authorised by the Council to sign in that behalf]

[CONFIRMATION OF ORDER

[This Order was confirmed by the *(name of Council)* without modification of the day of *(month and year)*]

[This Order was confirmed by the *(name of Council)* KENNET DISTRICT COUNCIL subject to the modifications indicated by *(state how indicated)* HIGHLIGHTED IN RED ON PLAN,

on the Fourteenth day of June 2004 *(month and year)*]

.....

Authorised by the Council to sign in that behalf]

MIN No.	65 Case 21402
CHK'D BY	O

[DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by the *(name of Council)* on the day of *(month and year)*

.....

Authorised by the Council to sign in that behalf]

[VARIATION OF ORDER

This Order was varied by the *(name of Council)* on the day of *(month and year)* under the reference number

.....

Authorised by the Council to sign in that behalf]

[REVOCATION OF ORDER

This Order was revoked by the *(name of Council)* on the day of *(month and year)* under the reference number

.....

Authorised by the Council to sign in that behalf]

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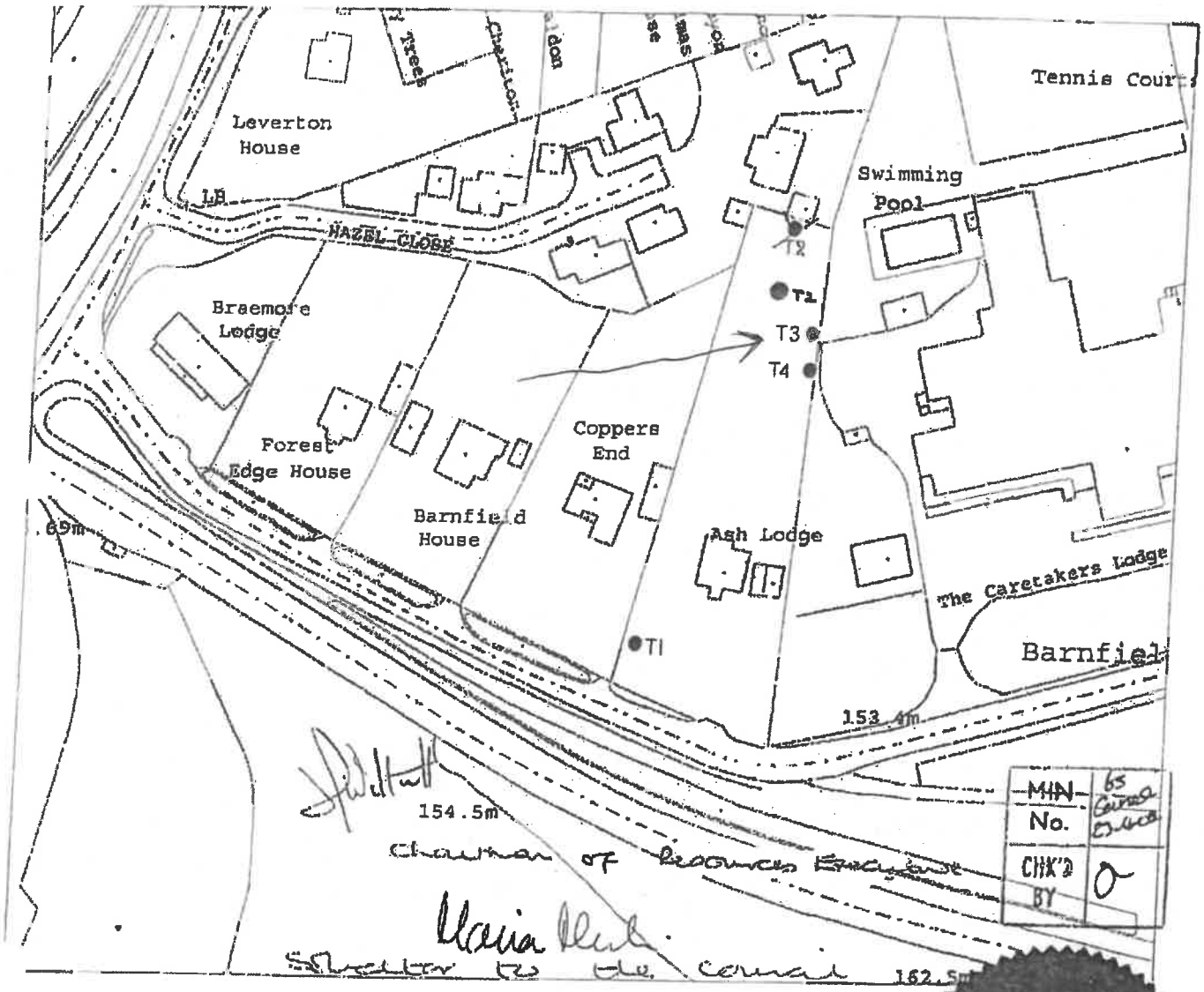

TOWN AND COUNTRY PLANNING ACT, 1990, SECTI

Provisional Tree Preservation Order

Trees at Ash Lodge, Chopping Knife Lane Marlborough, Wiltshire 2003

N

KENNET District Council

Scale 1:1250

Browfort, Bath Road, Devizes, Wiltshire SN10 2AT
Tel: (Devizes) 01380 724911 Fax: 01380 729146

Date 26/09/03

SCHEDULE 1
SPECIFICATION OF TREES

Article 4

Trees specified individually
(encircled in black on the map)

Reference on Map	*Description*	*Situation**
T1	*Norway Maple*	*(Front and rear gardens of Ash Lodge,*
T2	*Norway Spruce*	*(Chopping Knife Lane, Marlborough,*
T3	*Walnut*	*(Wiltshire.*
T4	*Yew*	*(National Grid Reference:-*
		(SU 2029 6887

Trees specified by reference to an area

(within a dotted black line on the map)

Reference on Map	*Description*	*Situation**
None		

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

Reference on Map	*Description*	*Situation**
None		

Woodlands

(within a continuous black line on the map)

Reference on Map	*Description*	*Situation**
None		

* complete if necessary to specify more precisely the position of the trees.