
STATUTORY INSTRUMENTS

1999 No. 1892

The Town and Country Planning (Trees) Regulations 1999

PART III

TREES IN CONSERVATION AREAS

Trees in conservation areas—exemptions

- 10.**—(1) Section 211 (preservation of trees in conservation areas) shall not apply to—
- (a) the cutting down, uprooting, topping or lopping of a tree in the circumstances mentioned in section 198(6) or in article 5 of the prescribed form of tree preservation order set out in the Schedule to these Regulations;
 - (b) the cutting down of a tree in accordance with a felling licence granted by the Forestry Commissioners under Part II (Commissioners' power to control felling of trees) of the Forestry Act 1967⁽¹⁾;
 - (c) the cutting down of a tree in accordance with a plan of operations or other working plan approved by the Forestry Commissioners, and for the time being in force, under a forestry dedication covenant entered into under section 5 (forestry dedication covenants and agreements) of the Forestry Act 1967 or under the conditions of a grant or loan made under section 1 (finance for forestry) of the Forestry Act 1979⁽²⁾;
 - (d) the cutting down, uprooting, topping or lopping of a tree by, or on behalf of, a local planning authority;
 - (e) the cutting down or uprooting—
 - (i) of a tree whose diameter does not exceed 75 millimetres; or
 - (ii) where carried out for the sole purpose of improving the growth of other trees, of a tree whose diameter does not exceed 100 millimetres; or
 - (f) the topping or lopping of a tree whose diameter does not exceed 75 millimetres.
- (2) For the purpose of this regulation—
- (a) where a tree has more than one stem at a point 1.5 metres above the natural ground level its diameter shall be treated for the purposes of paragraph (1)(e)(i) and (f) or paragraph (1)(e)(ii) as exceeding 75 millimetres or 100 millimetres respectively, if any stem when measured over its bark at that point exceeds 75 millimetres or 100 millimetres respectively;
 - (b) in any other case, the diameter of a tree shall be ascertained by measurement, over the bark of the tree, at a point 1.5 metres above the natural ground level.

(1) 1967 c. 10.

(2) 1979 c. 21.