



Town and Country Planning Act 1990

1990 CHAPTER 8

PART VIII

SPECIAL CONTROLS

CHAPTER I

TREES

Consequences of tree removal, etc.

206 Replacement of trees.

- (1) If any tree in respect of which a tree preservation order is for the time being in force—
- (a) is removed, uprooted or destroyed in contravention of [^{F1}the order][^{F1}tree preservation regulations], or
 - (b) except in the case of a tree to which the order applies as part of a woodland, is removed, uprooted or destroyed or dies [^{F2}at a time when its cutting down or uprooting is authorised only by virtue of section 198(6)(a),][^{F2}at a prescribed time,]

it shall be the duty of the owner of the land to plant another tree of an appropriate size and species at the same place as soon as he reasonably can.

- (2) The duty imposed by subsection (1) does not apply to an owner if on application by him the local planning authority dispense with it.
- (3) In respect of trees in a woodland it shall be sufficient for the purposes of this section to replace the trees removed, uprooted or destroyed by planting the same number of trees—
- (a) on or near the land on which the trees removed, uprooted or destroyed stood, or

Status: Point in time view as at 09/04/2013. This version of this provision has been superseded.

Changes to legislation: Town and Country Planning Act 1990, Section 206 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) on such other land as may be agreed between the local planning authority and the owner of the land,
and in such places as may be designated by the local planning authority.
- (4) In relation to any tree planted pursuant to this section, the relevant tree preservation order shall apply as it applied to the original tree.
- (5) The duty imposed by subsection (1) on the owner of any land shall attach to the person who is from time to time the owner of the land.

Textual Amendments

- F1** Words in s. 206(1)(a) substituted (6.4.2012 for E.) by [Planning Act 2008 \(c. 29\), s. 241\(3\)\(4\), Sch. 8 para. 11\(a\)](#) (with s. 226); S.I. 2012/601, art. 2(a)
- F2** Words in s. 206(1)(b) substituted (6.4.2012 for E.) by [Planning Act 2008 \(c. 29\), s. 241\(3\)\(4\), Sch. 8 para. 11\(b\)](#) (with s. 226); S.I. 2012/601, art. 2(a)

Modifications etc. (not altering text)

- C1** S. 206: power to apply conferred (10.11.1993) by [1993 c. 28, s. 171\(4\)\(a\)](#); S.I. 1993/2762, art. 3
- C2** S. 206: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\), Sch. 1](#)
- C3** S. 206(1) excluded (9.4.2013) by [The Lancashire County Council \(Torrisholme to the M6 Link \(A683 Completion of Heysham to M6 Link Road\)\) Order 2013 \(S.I. 2013/675\), arts. 1, 35\(2\)\(b\)](#)

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