



# Town and Country Planning Act 1990

## 1990 CHAPTER 8

### PART VIII

#### SPECIAL CONTROLS

#### CHAPTER I

#### TREES

##### *Trees in conservation areas*

### **213 Enforcement of controls as respects trees in conservation areas.**

- (1) If any tree to which section 211 applies—
- (a) is removed, uprooted or destroyed in contravention of that section; or
  - (b) is removed, uprooted or destroyed or dies [<sup>F1</sup>at a time when its cutting down or uprooting is authorised only by virtue of the provisions of such regulations under subsection (1) of section 212 as are mentioned in subsection (4) of that section,]<sup>F1</sup>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) The duty imposed by subsection (1) on the owner of any land attaches to the person who is from time to time the owner of the land and may be enforced as provided by section 207 and not otherwise.

**Status:** Point in time view as at 09/05/2024.

**Changes to legislation:** Town and Country Planning Act 1990, Section 213 is up to date with all changes known to be in force on or before 07 August 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)

### Textual Amendments

- F1** Words in s. 213(1)(b) substituted (6.4.2012 for E.) by [Planning Act 2008 \(c. 29\)](#), s. 241(3)(4), [Sch. 8 para. 16](#) (with s. 226); [S.I. 2012/601](#), art. 2(a)

### Modifications etc. (not altering text)

- C1** S. 213: power to apply conferred (10.11.1993) by [1993 c. 28](#), s. [171\(4\)\(a\)](#); [S.I. 1993/2762](#), [art. 3](#)
- C2** [S. 213](#): 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. 213(1) restricted (24.9.2014) by [The Thames Water Utilities Limited \(Thames Tideway Tunnel\) Order 2014 \(S.I. 2014/2384\)](#), [arts. 1](#), 27(5)(b)
- C4** S. 213(1) restricted (5.12.2022) by [The Portishead Branch Line \(MetroWest Phase 1\) Order 2022 \(S.I. 2022/1194\)](#), [arts. 1](#), [43\(6\)](#) (with art. 51)
- C5** S. 213(1) restricted (9.2.2024) by [The A12 Chelmsford to A120 Widening Development Consent Order 2024 \(S.I. 2024/60\)](#), [arts. 1](#), [47\(8\)](#) (with arts. 4, 52, [Sch. 11](#) paras. 6, 24, 39(1), 55(1), 84)

**Status:**

Point in time view as at 09/05/2024.

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