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STATUTORY INSTRUMENTS

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**2012 No. 605**

The Town and Country Planning (Tree  
Preservation)(England) Regulations 2012

PART 4

APPLICATIONS FOR CONSENT UNDER TREE PRESERVATION ORDERS

**Determination of applications for consent and conditions**

17.—(1) Where an application is made to the authority for consent under an order in accordance with regulation 16 the authority may—

- (a) grant consent under the order, either unconditionally or subject to any such condition as is specified in paragraph (2); or
- (b) refuse consent under the order.

(2) The conditions referred to in paragraph (1) are—

- (a) conditions within subsection (4) of section 202D(1) (tree preservation regulations: consent for prohibited activities);
- (b) conditions requiring approvals to be obtained from the person giving the consent;
- (c) conditions specifying the standard to which the works for which consent has been given must be carried out; and
- (d) conditions specifying that the works may be carried out on multiple occasions or within a specified time period only or both.

(3) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.

(4) Where consent is granted under paragraph (1)(a)—

- (a) such consent shall be valid for a period of two years beginning with the date of its grant; and
- (b) the works for which such consent is granted may only be carried out once,

unless otherwise stated in a condition within paragraph (2)(d).

(5) A grant of consent under paragraph (1)(a) shall (except so far as the consent otherwise provides) enure for the benefit of the land to which the order relates and of all persons for the time being interested in it.